MINUTES

OF THE

PROCEEDINGS

OF THE

CONVENTION

OF THE

STATE of *PENNSTLVANIA*,

Held at *PHILADELPHIA*, the Fifteenth Day of *July*, 1776.

PHILADELPHIA:

PRINTED and SOLD by HENRY MILLER, in *Race-Street.*

MDCCLXXVI.

At a MEETING

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

Held at the STATE-HOUSE in the City of *Philadelphia* on the Fifteenth Day of *July*, in the Year *One Thouſand Seven Hundred and Seventy-ſix.*

Monday, July 15, 1776, *P. M.*

THE reſpective Judges for the Election for the City of *Philadelphia* and the ſeveral Counties made their Returns, as follows, *viz.*

For the City of *Philadelphia.*
Timothy Matlack,
Benjamin Franklin,
Frederick Kubl,
Owen Biddle,
James Cannon,
George Clymer,
George Schloſſer,
David Rittenhouſe.

For the County of *Philadelphia.*
Frederick Antis,
Henry Hill,
Robert Loller,
Joſeph Blewer,
John Bull,
Thomas Potts,
Edward Bartholomew,
William Coats.

For the County of *Bucks.*
Joſeph Hart,
John Wilkinſon,
Samuel Smith,
John Keller,
William Vanhorn,
John Grier,
Abraham van Midleſwarts,
Joſeph Kirkbride.

For the County of *Cheſter.*
Benjamin Bartholomew,
John Jacobs,
Thomas Strawbridge,
Robert Smith,
Samuel Cunningham,
John Hart,
John Mackey,
John Flemming.

For the County of *Lancaſter.*
George Roſs,
Philip Marſteller,
Thomas Porter,
Bartram Galbreath,
Joſeph Sherrer,
John Hubley,
Henry Slaymaker,
Alexander Lowrey.

For the County of *York.*
John Hay,
James Edgar,
William Rankin,
Henry Slagle,
Francis Crazart,
James Smith,
Robert M'Pherſon,
Joſeph Donaldſon.

For the County of *Cumberland.*
John Harris,
Jonathan Hoge,
William Clarke,
Robert Whitehill,
William Duffield,
James Brown,
Hugh Alexander,
James M'Clean.

For the County of *Berks.*
Jacob Morgan,
Gabriel Heiſter,
John Leſher,
Benjamin Spyker,
Daniel Hunter,
Valentine Eckert,
Charles Shoemaker,
Thomas Jones.

For the County of *Northampton.*
Simon Dresbach,
Jacob Arndt,
Peter Buckholder,
Peter Rhoads,
Jacob Stroud,
Neigal Gray,
Abraham Miller,
John Ralſton.

For the County of *Bedford.*
Thomas Smith,
John Wilkins,
Benjamin Elliot,
Thomas Coulter,
Joſeph Powell,
Henry Rhoads,
John Burd,
John Ceſna.

For the County of *Northumberland.*
William Cooke,
James Potter,
Robert Martin,
Matthew Brown,
Walter Clark,
John Kelley,
James Crawford,
John Weitzell.

For the County of *Weſtmoreland.*
James Barr,
Edward Cook,
James Smith,
John Moore,
John Carmichael,
James Petry,
John M'Clellan,
Chriſtopher Lavingair.

The Convention adjourned to Three o'Clock To-morrow in the Afternoon.

Tueſday, July 16, 1776, *P. M.*

The Convention met, purſuant to Adjournment.
Doctor *Benjamin Franklin*, was unanimouſly choſen Preſident.

Colonel

Colonel *George Roſs* was unanimouſly choſen Vice-Preſident.

John Morris, Eſquire, was choſen Secretary.

Mr. *Jacob Garrigues* was choſen Aſſiſtant Clerk to the Secretary.

Mr. *Morris* not being in this City at preſent, Colonel *Matlack* is requeſted to perform the Duty of Secretary, till Mr. *Morris* may return.

The Qualification and Profeſſion of Faith recommended by the Conference of Committees, held at *Philadelphia* on the 25th of *June* laſt, were read, taken and ſubſcribed by all the Members now preſent, *viz.*

Benjamin Franklin,
Timothy Matlack,
Frederick Kuhl,
Owen Biddle,
James Cannon,
George Clymer,
George Schloſſer,
David Rittenhouſe,
Frederick Antis,
Henry Hill,
Robert Loller,
Joſeph Blewer,
John Bull,
Edward Bartholomew,
Joſeph Hart,
John Wilkinſon,
Samuel Smith,
John Keller,
William Vanhorn,
John Grier,
Joſeph Kirkbride,
John Hart,
Thomas Strawbridge,
Robert Smith,
Samuel Cunningham,
John Mackey,
George Roſs,
Bartram Galbreath,
Joſeph Sherrer,
John Hubley,
Henry Slaymaker,
Alexander Lowrey,
John Hay,
James Edgar,
Francis Crazart,
James Smith,
Robert M'Pherſon,
Joſeph Donaldſon,
John Harris,
Jonathan Hoge,
William Clarke,
William Duffield,
James Brown,
James M'Clean,
Jacob Morgan,
Gabriel Heiſter,
John Leſher,
Benjamin Spyker,
Daniel Hunter,
Charles Shoemaker,
Thomas Jones,
Simon Dresbach,
Jacob Arndt,
Peter Buckbolder,
Peter Rhoads,
Jacob Stroud,
Neigal Gray,
Abraham Miller,
John Ralſton,
Thomas Smith,
John Wilkins,
Benjamin Elliot,
Thomas Coulter,
Joſeph Powell,
Henry Rhoads,
John Burd,
John Ceſna,
Walter Clark,
John Kelley, and
James Crawford,

William Sheed is appointed Door-keeper.

A Letter from the Honourable JOHN HANCOCK, Eſq; Preſident of the Congreſs of the *United States* of *America*, directed to this Convention, was read, recommending to them to take ſuch Meaſures as may be judged proper and neceſſary for procuring as much Lead within this State as can be obtained: Whereupon it was

Reſolved,

That the ſaid Recommendation of Congreſs be immediately complied with, and therefore, that it be recommended to the Committee of Safety immediately to take the moſt vigorous and effectual Meaſures to procure all the Lead which can be obtained, and which may at preſent be uſed in Spouts, Window-Weights, Clock-Weights, Ornaments of Houſes, or in any other Form; and that they make reaſonable Compenſation for the ſame to all Perſons from whom it may be had or received, having regard alſo to any particular Inconveniencies which Individuals may ſuſtain by affording the Public this neceſſary Supply.

And it is likewiſe recommended to the Inhabitants of this State to part willingly with ſuch Lead as they have in their Poſſeſſion, for the public Service.

A Letter was read from General *Roberdeau*, reſpecting the Guard recommended by Congreſs to be kept in this City; and the ſame being conſidered, it was

Reſolved,

That it be recommended to the Committee of Safety, to take the neceſſary Steps thereupon, as being within their Department.

A Letter was read from the Delegates of the State of *Virginia*, now in the Congreſs, propoſing that a temporary Line between *Pennſylvania* and *Virginia* may be agreed upon, until a final Determination may be had, and declaring their Readineſs to confer on this Subject with any Gentlemen this Houſe may be pleaſed to appoint for that Purpoſe; the ſame being conſidered, it was

Ordered,

That the further Conſideration thereof be deferrd to *Thurſday* Morning next.

On Motion, *Reſolved*,

That Application be made to General *Roberdeau*, requeſting him to iſſue an Order, for permitting *John Morris*, Eſq; and *Jacob Garrigues*, to return to this City, they being appointed to the Offices of Secretary and Aſſiſtant Clerk to this Convention.

Adjourned till To-morrow Morning Eight o'Clock.

Wedneſday,

Wedneſday, July 17, 1776.

The Convention met, according to Adjournment.

Upon Motion, *Reſolved*,

That the Reverend Mr. *William White* be requeſted to perform Divine Service To-morrow Morning before this Convention, That we may jointly offer up our Prayers to Almighty GOD to afford us his Divine Grace and Aſſiſtance in the important and arduous Taſk committed to us; and to offer up our Praiſes and Thankſgivings for the manifold Mercies and the peculiar Interpoſition of his ſpecial Providence in Behalf of theſe injured oppreſſed and inſulted United States.

Colonel *Matlack* and Mr. *Clymer* are appointed to wait on the Reverend Mr. *White*, and furniſh him with a Copy of the foregoing Reſolve.

Moved,

That Colonel *Miles* be appointed Brigadier-General and Commander in Chief of the Forces of *Pennſylvania*. *Referred for further Conſideration.*

Mr. *Matthew Brown*, *John Flemming*, *Philip Marſteller* and *Robert Whitehill* appeared in the Houſe for the firſt time, took the Oaths, and made and ſigned the Profeſſion of Faith required.

Moved,

That effectual Meaſures be taken to obtain the Arms from all Non-Aſſociators, as they are abſolutely neceſſary for the Defence of the Country. And as the Aſſociators in this State are not all completely armed, and the Reſolve of the Honourable Congreſs for diſarming diſaffected Perſons and Non-Aſſociators has not yet been affectually executed; therefore,

Reſolved,

That Mr. *Rittenhouſe*, Mr. *Bull*, Mr. *Kirkbride*, Mr. *Flemming*, Mr. *Marſteller*, Mr. *Edgar*, Mr. *Harris*, Mr. *Coulter*, Mr. *Morgan*, Mr. *Gray* and Mr. *Crawford* be a Committee for bringing in an Ordinance for the Purpoſe of carrying fully into Execution the ſaid Reſolve of Congreſs.

A Petition from divers Debtors now confined in the Gaol of *Philadelphia*, praying Releaſement from their Confinement, was read, and *Ordered to lie on the Table.*

Adjourned to To-morrow Morning Eight o'Clock.

Thurſday, July 18, 1776, *A. M.*

The Convention met, according to Adjournment.

Mr. *Morris*, the Secretary, now attending, it was ordered, upon Motion, That he ſhould take the following Affirmation, *viz.*

"I, *John Morris*, do declare that I do not hold myſelf bound to bear Allegiance to GEORGE the Third, King of *Great-Britain*; And that I will ſteadily and firmly at all Times promote the moſt effectual Means, according to the beſt of my Skill and Knowledge, to oppoſe the tyrannical Proceedings of the King and Parliament of *Great-Britain* againſt the *American* Colonies, and ſupport a Government in this State on the Authority of the People only;—And that, as Secretary of this Convention, I will be faithful, and make fair and juſt Minutes of all their Proceedings according to the beſt of my Abilities, and keep all ſuch Secrets as ſhall be directed to be kept by the Convention."—Which he did accordingly.

Ordered alſo,

That the Clerk, when he ſhall come, ſhall make a Declaration to the like Import.

The Reverend Mr. *White* attending, agreeable to the Requeſt of Yeſterday, and having performed Divine Service, and being withdrawn, it was

Ordered on Motion,

That Mr. *Matlack* and Mr. *Clymer* wait upon that Gentleman with the Thanks of the Convention for his Services.

On Motion,

That a Committee be appointed to draw up Rules and Regulations for the Government of this Convention in their Proceedings,

Ordered,

That Mr. *Roſs*, Mr. *Matlack*, and Mr. *Jacobs* be a Committee for that Purpoſe.

On Motion, *Reſolved*,

That the Secretary call upon the Clerk of the Aſſembly from Time to Time for ſuch of the Public Records, Papers and Documents belonging to this Government, as the Convention ſhall think neceſſary: And the ſaid Clerk is hereby directed to deliver the ſame.

Reſolved,

That the Members of this Convention have at all ſeaſonable Times, free Acceſs to the Public Library of this State.

A Report from the Committee appointed Yeſterday to bring in an Ordinance reſpecting the Arms of Non-Aſſociators, was read, and ordered to lie on the Table for a ſecond Reading.

The Gentlemen appointed to draw up Rules and Regulations for the Government of this Con-

vention in their Proceedings, withdrew, and after ſome Time brought in an Eſſay for that Purpoſe, which being read was agreed to, and is as followeth, *viz.*

Firſt, That the Members, when ſpeaking, addreſs themſelves to the Chair.

Second, That no Member interrupt a Member, when ſpeaking.

Third, That no Member uſe indecent or reflecting Language, or wilfully pervert the Senſe of what another Member has ſaid.

Fourth, That the Members are not to uſe each other's Names, but in their Anſwers to take Notice of their Time of ſpeaking, or their Situation as to the Right or Left of the Chair, *&c.*

Fifth, That no Member croſs between the Chair and a ſpeaking Member.

Sixth, That the Preſident have a Right to call to Order, where a Member may wander from the Matter in Debate.

Seventh, That no Member ſpeak above twice on the ſame Subject, without obtaining Leave from the Convention.

Eighth, That where any Debate proves very tedious, and any Four Members riſe and call for the Queſtion, the Preſident ſhall put the ſame.

Ninth, That where the Preſident ſhall enjoin the Secrecy, it is expected that every Member is bound by his Honour to obſerve the ſame.

Tenth, That where the Houſe is equally divided, the Preſident ſh all have the caſting Vote.

Upon Motion, *Reſolved*,

That two Thirds of the Perſons choſen as Members of this Convention, be a Quorum.

Upon Motion, *Reſolved*,

That no Member of this Convention abſent himſelf without Leave.

Upon Motion,

To reſume the Conſideration of the Letter from the *Virginia* Delegates, it was agreed to poſtpone the ſame for ſome Time, as the Members for *Weſtmoreland* are not yet arrived.

Upon Motion, and after Debate,

Reſolved,

That a Committee be appointed to make an Eſſay for a Declaration of Rights for this State,

Reſolved alſo,

That the ſaid Committee conſiſt of Eleven Perſons, *viz.* Mr. *Biddle*, Col. *Bull*, the Reverend Mr. *Vanhorn*, Mr. *Jacobs*, Col. *Reſi*, Col. *James Smith*, Mr. *Hoge*, Mr. *Morgan*, Col. *Stroud*, Col. *Thomas Smith* and Mr. *Martin*.

Mr. *Abraham van Middleſwart*, Mr. *Robert Martin*, Mr. *John Weitzel*, and Mr. *John Jacobs* appeared in the Houſe for the firſt time, took the Oath or Affirmation, and made and ſigned the Profeſſion of Faith required.

Adjourned to Four o'Clock, *P. M.*

Thurſday, July 18, 1776, *P. M.*

The Convention met, purſuant to Adjournment: When a Letter to this Houſe from the Honourable the Preſident of the Congreſs was read, deſiring them to recommend Field Officers for a Battalion to be raiſed in the Counties of *Bedford* and *Weſtmoreland* in this State, for the Defence of its Weſtern Frontier:

After ſome Deliberation thereon, the further Conſideration thereof was poſtponed till To-morrow Morning.

It was propoſed by the Preſident, that the Convention ſhould now proceed to the Choice of Delegates to ſerve in the Continental Congreſs; whereupon a Debate ariſing, it was previouſly moved, and

Reſolved unanimouſly,

That the ſaid Delegates to ſerve this State in Congreſs ſhall be choſe by Ballot.

Alſo *Reſolved*,

That the Number of the ſaid Delegates be Nine.

It was then conſidered, whether this Houſe will proceed to the Election of the ſaid Delegates, or poſtpone it till To-morrow Afternoon?

And it was thereupon agreed to poſtpone the ſame till To-morrow Afternoon.

It was moved and *Reſolved*,

That a Majority of the Delegates for this State, who are at a Time preſent in Congreſs at the Determination of any Queſtion, ſhall be a Quorum to give the Vote of this State.

Moved and *Reſolved*,

That the Council of Safety for this State ſhall conſiſt of Fifteen Members, reſiding in or near the City *Philadelphia*, and of one for each of the Counties: And that Seven be a Quorum for the Tranſaction of Buſineſs.

Moved and *Reſolved*,

That the whole Council of Safety be voted for together by one general Ballot.

Adjourned to To-morrow Morning Ten o'Clock.

Friday

Friday, July 19, 1776, *A. M.*

The Convention met, according to Adjournment.

Colonel *James Potter*, one of the Members for *Northumberland*, appeared in the Houſe for the firſt time, took the Oaths and made and ſubſcribed the Profeſſion of Faith required.

The Ordinance, brought in Yeſterday, reſpecting the Arms of Non-Aſſociators, was read a ſecond time, and then read by Paragraphs: During the Debates on which, a Letter was handed to the Preſident from the Honourable the Preſident of the Congreſs, informing that a falſe Report had been ſpread through the Country, which, it was apprehended, had retarded the March of the *Pennſylvania* Aſſociators, and that therefore it had been reſolved by the Congreſs, that it ſhould be recommended to this Convention to haſten their March with all Expedition.

Whereupon it was moved and unanimouſly

Reſolved,

That Circular Letters be written to the ſeveral Committees of Inſpection and Obſervation of this State, to ſend Orders immediately to the ſeveral Colonels or Commanding Officers to march their Troops with the utmoſt Expedition to *New-Jerſey*, agreeable to a former Requeſt of Congreſs.

Alſo moved, and unanimouſly

Reſolved,

That Letters be forthwith written to the ſeveral Colonels and Commanding Officers in the ſeveral Counties, and printed Copies thereof alſo ſent to the ſeveral Committees to be by them forwarded to the Officers:

And that the Reſolve of Congreſs of this Day, and the Letter of the Honourable Preſident to this Convention, be alſo printed, and the Copies thereof ſent with the other Letters:

And alſo, that Colonel *Matlack*, Colonel *Hill* and Mr. *Cannon* be a Committee to write the ſaid Letters, and to print and forward them.

Adjourned to Three o'Clock, *P. M.*

Friday, July 19, *P. M.*

The Houſe met, purſuant to Adjournment.

The Committee appointed to write the Letters to the Committees of Inſpection and Commanding Officers, reported Draughts of them, which being read, and ſome ſmall Amendments made at the Table, were approved of, and ordered to be printed and expedited as quickly as poſſible.

Mr. *William Rankin*, one of the Members for *York* County, appeared in the Houſe for the firſt time, took the Oaths and made and ſubſcribed the Profeſſion of Faith.

The Houſe reſumed the Conſideration of the Ordinance reſpecting the Arms of Non-Aſſociators, and after a conſiderable Time employed in debating thereon and amending the ſame, it was ordained in the following Words, *viz.*

Whereas the Non-Aſſociators in this State have either refuſed or neglected to deliver up their Arms according to the Reſolves of the Honourable Continental Congreſs, and the Aſſembly of *Pennſylvania*, and effectual Meaſures have not been taken to carry the ſaid Reſolves into Execution;

Be it therefore *Ordained*, by the Authority of this Convention, That the Colonel or next Officer in Command of every Battalion of Militia in this State, is hereby authoriſed, impowered and required to collect, receive and take all the Arms in his Diſtrict or Townſhip neareſt to ſuch Officer, which are in the Hands of Non-Aſſociators, in the moſt expeditious and effectual Manner in his Power, and ſhall give to the Owners Receipts for ſuch Arms, ſpecifying the Amount of the Appraiſement; and ſuch as can be repaired ſhall with all poſſible Diſpatch be rendered fit for Service, and the Value according to the Appraiſement of all ſuch Arms, together with the Repairs and Tranſportation, ſhall be paid to the Officers by the Treaſurer, on the Order of the Council of Safety, for the Uſe of the Owners, and defraying the Charges.

And be it further *Ordained*, That the ſame Arms ſhall be appraiſed by any three reputable Freeholders appointed by the Commanding Officer. But if the Owner of any Arms ſhall neglect or refuſe to apply for ſuch Money within Six Months, the ſame ſhall be applied towards the Repairs of the Arms: And the Colonels are hereby authoriſed to draw for the neceſſary Sums of Money, for the Purpoſes aforeſaid, on the Council of Safety.

And it is further *Ordained*, That the Colonels aforeſaid ſhall arm the Aſſociators with the ſaid Arms, and keep an Account to whom they are delivered, and return the ſame to the Council of Safety: And every Aſſociator ſhall be anſwerable for ſuch Arms or the Value, unleſs loſt or deſtroyed by ſome unavoidable Accident, or in actual Service.

And be it further *Ordained*, That in Caſe any Arms ſo collected ſhall not be worth repairing the ſame ſhall be laid by until ſuch Time as may be thought proper by the Committee of the County to return them to the Owners.

Moved and *Reſolved*,

That the Salary of each of the Delegates to be choſen to ſerve the State in Congreſs, ſhall be Twenty Shillings *per Diem*.

The Election of Delegates is adjourned to Eight o'Clock To-morrow Morning.

Adjourned till To-morrow Morning Eight o'Clock.

Saturday,

Saturday, July 20, 1776.

The Houſe met, according to Adjournment.

When according to the Order of the Day, they immediately proceeded, by Ballot, to the Election of Delegates to ſerve in the Continental Congreſs, and choſe for that Service, Doctor *Benjamin Franklin*, Colonel *George Roſs*, *George Clymer*, Eſq; *Robert Morris*, Eſq; Colonel *James Wilſon*, *John Morton*, Eſq; Doctor *Benjamin Ruſh*, Colonel *James Smith*, and *George Taylor* Eſq;

Moved and *Reſolved*,

That a Committee be appointed to draw up Inſtructions for the Delegates in Congreſs; and that Colonel *Matlack*, Colonel *Thomas Smith*, Mr. *Cannon*, Mr. *Rittenhouſe*, and Colonel *Bull* be that Committee.

Moved and *Reſolved*,

That Mr. *Rittenhouſe*, Colonel *Thomas Smith*, Mr. *Lowrey*, Mr. *Biddle* and Colonel *Potter* be a Committee to confer with the *Virginia* Delegates on the Subject of a temporary Line between the two States of *Virginia* and *Pennſylvania*.

Colonel *Roſs* informed the Houſe, at the Requeſt of the Secret Committee of Congreſs, that the Congreſs for certain preſſing and important Reaſons, deſired that this Convention would direct that the common Priſoners be removed from the New Gaol to the Old Gaol in this City, and would give up the ſaid New Gaol to the Congreſs for the Uſe of the State-Priſoners; for which they would willingly pay any reaſonable Rent or Compenſation.

Whereupon it was moved, and unanimouſly

Reſolved,

That the ſaid Requeſt of Congreſs be complied with, and that the ſaid common Priſoners be forthwith (that is this Day) removed from the ſaid New Gaol, and that the ſame be immediately delivered up to Congreſs for the Uſe aforeſaid: And the Sheriff of the City and County of *Philadelphia* is commanded to keep his Civil Priſoners ſafely in the old Gaol until they may be properly diſcharged: And of this Reſolve, all Perſons whom it may concern are required to take Notice and give prompt Obedience thereto.

The Houſe then reſumed the Conſideration of the Field Officers for the Battalion intended for the Defence of the Weſtern Frontier, and agreed to recommend *Aeneas M'Coy*, Eſq; as Colonel, *George Wilſon*, Eſq; as Lieutenant Colonel and *Richard Butler*, Eſq; as Major.

Adjourned to *Monday* Morning Eight o'Clock.

Monday, July 22, 1776, *A. M.*

The Houſe met, purſuant to Adjournment.

The following Members for *Weſtmoreland*, viz. *James Barr*, *Edward Cook*, *John Moor*, *John Carmichael*, *John M'Clellan*, *Chriſtopher Lavingair* and *James Smith*, now appeared in the Houſe, took the Oaths, and made and ſubſcribed the Profeſſion of Faith, as did alſo *Hugh Alexander*, of *Cumberland*, at the ſame Time.

Moved and *Reſolved*,

That the Committee of Safety of this State lay their Accounts and Proceedings before this Convention, and that Mr. *Clymer* communicate this Reſolution to the ſaid Committee.

On Motion *Ordered*,

That Mr. *John Moor* be added to the Declaration of Rights Committee and that the ſaid Committee have Leave of Abſence.

A Letter from the Preſident of the Congreſs, requeſting this Convention to increaſe the Quot: of this State for the Flying Camp with Four Battalions of Militia, was preſented and read;—but ſo many of the Members had gone upon the Committee of the Declaration of Rights, tha a Quorum was not then in the Houſe,—the Conſideration of it was therefore poſtponed to th Afternoon.

Adjourned to Three o'Clock in the Afternoon.

Monday, July 22, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

Mr. *Valentine Eckart* appeared in the Houſe for the firſt time, and took the Oath, and mad and ſubſcribed the Profeſſion of Faith.

A Petition from *William Dewees*, Eſq; as High Sheriff of the City and County of *Philadelphi* was read, praying, that before he obeyed the Reſolve of this Houſe of the 20th Inſtant, reſpec ing the Removal of the Priſoners from the Old to the New Gaol, he and his Sureties might indemnified.

Upon Conſideration thereof, it was moved and

Reſolved,

That the ſaid *William Dewees* be ordered to pay immediate Obedience to the ſa Reſolve

Reſolve of the 20th Inſtant; And, that if he think neceſſary, he may apply to the Commanding Officer of the City Guard, for a Guard to the Old Gaol, till it be put in a State of Security. And the ſaid Officer is hereby required and ordered to grant the ſame.

Upon Motion, *Ordered*,

That Colonel *Matlack* and Mr. *Clymer* be a Committee to go immediately and examine the State of the Old Gaol:—They went, and returning report, that they had viewed the ſame, and find it ſufficiently ſecure to receive and keep ſafe the Priſoners.

The ſaid *William Dewees* attending, requeſted as a Favour, that he might be indulged till the Morning, before he removed the Priſoners;—his Requeſt was granted, the Evening being too far advanced to remove them conveniently.

The Houſe then reſumed the Conſideration of Mr. Preſident HANCOCK's Letter reſpecting the Increaſe of the Quota for the Flying Camp:—And after ſome Debate thereon, agreed to refer it for further Conſideration till To-morrow Morning.

Adjourned till To-morrow Morning Nine o'Clock.

Tueſday, July 23, 1776, *A. M.*

The Houſe met, purſuant to Adjournment.

The Conſideration of Mr. Preſident *Hancock's* Letter was reſumed, and after ſome Debate thereon, it was

Upon Motion, *Reſolved*,

That Mr. *Cannon*, Colonel *Kirkbride*, Major *Loller*, Mr. *Mackey*, Colonel *Lowrey*, Colonel *M'Pherſon*, Mr. *Harris*, Mr. *Raiſton* and Mr. *Eckart* be a Committee to fix the Proportions of the City and the ſeveral Counties of this State, toward compoſing the four additional Battalions required by Congreſs for the Flying Camp.

Whereas the Aſſociators in this State, on the Requiſition of the Honourable the Continental Congreſs, have freely and bravely gone into the Field for the Defence of the Common Liberties of *America*, while the Non-Aſſociators remain at home in Peace and Security, without affording by Perſonal Service or otherwiſe, that juſt and neceſſary Aſſiſtance they owe to the State for their Protection: Therefore

Reſolved,

That this Convention will take the moſt effectual Meaſures to render the Burthen and Expence of the Inhabitants of this State juſt and equal.

Ordered,

That this Reſolve be publiſhed in the News-Papers of this City.

On Motion,

That, as the Safety and Security of the State ſhould at all Times call the Attention of its Members for its Preſervation; therefore

Reſolved,

That Col. *Roſs*, Col. *James Smith*, Mr. *Biddle*, Mr. *Hoge*, Mr. *Clymer*, Mr. *Rittenhouſe* and Col. *Thomas Smith* be a Committee to bring in an Ordinance declaring what ſhall be high Treaſon and Miſpriſion of Treaſon againſt this State, and what Puniſhments ſhall be inflicted for thoſe Offences.

On Motion, *Reſolved*,

That the ſame Gentlemen mentioned in the preceding Reſolve, be Committee to bring in an Ordinance, declaring what ſhall be the Puniſhment for the Counterfeiting the Paper Bills of Credit iſſued by the Honourable Continental Congreſs, or by the late Aſſembly of *Pennſylvania*, or by any other of the United States of *America*; and which of them and how far, and in what Caſes, they ſhall be a legal Tender.

A Petition from Col. *James Eaſton*, a Priſoner now confined in the Gaol of *Philadelphia*, was read, ſetting forth the very great and peculiar Hardſhips of his Caſe; whereupon it was,

On Motion, *Reſolved*,

That Mr. *Jacobs*, Col. *Matlack* and Mr. *Hubley* be a Committee to inquire into the Truth of the Facts ſet forth in his Petition.

Adjourned to Three o'Clock, *P. M.*

Tueſday, July 23, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

Mr. *Benjamin Bartholomew* and Mr. *James Perry* appeared in the Houſe for the firſt time and took the Oaths and made and ſubſcribed the Profeſſion of Faith.

On Motion, *Reſolved*,

That *Eight Shillings* ſhall be the Salary of each Member of the Council of Safety, for every Day, in which he ſhall be engaged in the public Service.

The Houſe then proceeded to the Election (by Ballot) of the Council of Safety for this State the following Gentlemen were choſen, *viz.*

David Rittenhouſe, *Jonathan B. Smith*, *Owen Biddle*, *James Cannon*, *Timothy Matlack*, *Nathaniel Falconer*, *Samuel Morris*, junior, *Samuel Howell*, *Frederick Kuhl*, *Samuel Morris*, ſenior, *Thomas Wharton*, junior; *Henry Keppele*, junior, *Joſeph Blewer*, *Samuel Mifflin*, *George Gray* and *Joſ. Bull*, for *Philadelphia* County.

Henry Wynkop, for *Bucks* County.
Benjamin Bartholomew, for *Cheſter* County.
John Hubley, for *Lancaſter* County.
Michael Swoope, for *York* County.
William Lyon, for *Cumberland* County.
Daniel Hunter, for *Berks* County.
Peter Rhoads, for *Northampton* County.
David Eſpey, for *Bedford* County.
John Weitzel, for *Northumberland* County, and
John Moor, for *Weſtmoreland* County.

Who being declared duly elected, the Houſe adjourned to To-morrow Morning Ten o'Clock.

Wedneſday, July 24, 1776. A. M.

The Convention met, according to Adjournment.

Colonel *Henry Slagle* appeared in the Houſe for the firſt time, and took the Oath and made and ſubſcribed the Profeſſion of Faith.

On Motion, *Reſolved*,

That the Members of the Council of Safety, before they enter upon the Execution of their Office, ſhall take and ſubſcribe the following Oath or Affirmation, *viz.*

"I ——— do declare that I do not hold myſelf bound to bear Allegiance to GEORGE "the Third, King of *Great-Britain*; and that I will ſteadily and firmly, at all Times, promote "the moſt effectual Means, according to the beſt of my Skill and Knowledge, to oppoſe the "tyrannical Proceedings of the King and Parliament of *Great-Britain* againſt the *American* "States; and that I will, according to the beſt of my Judgment, execute with Fidelity the "Truſt repoſed in me, as a Member of the Council of Safety.

And that the Vice-Preſident of this Convention adminiſter the ſaid Oath or Affirmation to ſuch a Number of the ſaid Council of Safety, as may be ſufficient to make a Quorum, and then that the Preſident of the ſaid Board, for the Time being, qualify the reſt.

Reſolved, Upon Motion,

That it be recommended to the Council of Safety to provide a ſufficient Number of Pikes for the Uſe of the Militia of this State.

A Letter from the Chairman of the Committee for *Berks* County was read, and, on Motion, it was ordered that the ſame be referred to the Council of Safety.

On Motion, *Reſolved*,

That the ſame Gentlemen who are on the Declaration of Rights Committee, b appointed to draw up an Eſſay for a Frame or Syſtem of Government for this State.

The Committee for bringing in Ordinances reſpecting the Counterfeiting the Paper Bills of Credit, and reſpecting Treaſon and Miſpriſion of Treaſon, reported that they had made Eſſays for thoſe Purpoſes,—which were both read, and ordered a ſecond Reading.

On Motion, *Reſolved*,

That the two Companies of Fifty Men each now raiſing by the Committee of *Weſtmoreland* for the Defence of the Frontier, be conſidered as Militia in actual Service, from the Time of their Inliſtment to the Fifth Day of *Auguſt* next.

And alſo, that it be referred to the Council of Safety to conſider whether they will keep the ſame in Pay till the Fifteenth Day of *September* next, provided the Officers or any of them ſhould not be ſooner appointed in, or any of the Men before that Time enter into the Continental Battalion now to be raiſed in *Bedford* and *Weſtmoreland* Counties.

The Committee for Inſtructions to the Delegates in Congreſs, reported a Draught for that Purpoſe, which was left on the Table for Conſideration.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, July 24, 1776, P. M.

The Houſe met, purſuant to Adjournment.

On Motion, *Reſolved*,

That Mr. *John Leſher* be one of the Committee for eſſaying a Frame of Government in the Room of Mr. *Jacob Morgan*, who is abſent with Leave.

On Motion, *Reſolved*,

That Mr. *Cannon*, Mr. *Benjamin Bartholomew* and Mr. *Hubley* be a Committee to prepare and bring in an Ordinance for delivering from Impriſonment all Perſons confined in the ſeveral Gaols in this State, except thoſe who are impriſoned for Practices againſt the State, or for Capital Offences.

The Houſe took into Conſideration Col. *Eaſton's* Petition, and the Report of the Committee thereupon, which Report is as follows, *viz.*

THAT your Committee have heard Col. *Eaſton* and his Evidences, after Notice being ſent to the Attornies for the Plaintiffs, to attend, if they ſhould think proper;—it appears that Col.

Col. *Eaſton* had given to his principal Creditors ſuch Security for their Debts, as at the Time was ſatisfactory to them:—That he has ſince offered to ſurrender into the Hands of his Creditors all his Effects, upon Condition that the ſame ſhould be ſold to the beſt Advantage, and the Surpluſage, after the Payment of his juſt Debts, ſhould be returned to him,—and that his Creditors have not paid that Attention to ſo reaſonable an Offer that was juſtly due to it.—It therefore appears to your Committee that there is no equitable Cauſe for continuing the ſaid Colonel *Eaſton* in Confinement.

Philadelphia, July 24, 1776. (Signed) TIMOTHY MATLACK,
JOHN JACOBS,
JOHN HUBLEY."

Whereupon, on Motion, it was
Reſolved,
That this Houſe will give Relief to Colonel *Eaſton*, and that Colonel *Matlack*, Mr. *Jacobs* and Mr. *Hubley* be a Committee to bring in an Ordinance for his Releaſe from the Gaol of *Philadelphia*, upon the particular Circumſtances of his Caſe.
Adjourned to To-morrow Morning Ten o'Clock.

Thurſday, July 25, 1776.

The Houſe met, purſuant to Adjournment.
Mr. *Thomas Porter* appeared in the Houſe for the firſt time, and took the Oath and made and ſubſcribed the Profeſſion of Faith.
It was moved and *Reſolved*,
That this Convention do agree to the following Reſolution and Declaration, *viz.*
WE, the Repreſentatives of the Freemen of the State of *Pennſylvania*, in General Convention aſſembled, taking into our moſt ſerious Conſideration the clear, ſtrong and cogent Reaſons given by the Honourable Continental Congreſs, for the Declaring this, as well as the other United States of *America*, FREE AND INDEPENDENT, Do thereupon Reſolve, and be it hereby Reſolved and Declared, That We, in Behalf of ourſelves and our Conſtituents, do unanimouſly approve of the ſaid Reſolution and Declaration of Congreſs of the Fourth Inſtant: And we do declare before GOD, and the World, that we will ſupport and maintain the Freedom and Independence of this and the other United States of *America* at the utmoſt Riſk of our Lives and Fortunes.
The Committee for Eſſaying a Declaration of Rights, reported a Draught for that Purpoſe, which being read, was ordered to lie on the Table for further Conſideration.
A Letter was read from Capt. *Falconer*, one of the new elected Council of Safety, informing the Houſe, that he cannot, conſiſtent with his other public Engagements, poſſibly ſerve in that Station, and praying that another Member might be elected in his room.
On Motion, *Ordered*,
That the Ordinance reported Yeſterday by the Committee for declaring what is Treaſon, *&c.* be recommitted to the ſame Gentlemen for Amendment.
The Committee appointed to fix the Quotas for the Four additional Battalions, made a Report, which was read, and ordered to lie on the Table for further Conſideration.
The Report of the Committee for Inſtructions to the Delegates in Congreſs, was read the firſt time, and ordered to lie on the Table for further Conſideration.
The Committee appointed to draw an Ordinance reſpecting the Releaſe of Col. *Eaſton*, reported a Draught for that Purpoſe, which was read the firſt time, and ordered a ſecond Reading To-morrow.
On Motion, *Ordered*,
That Col. *Matlack*, Mr. *Cannon*, Col. *Potter*, Mr. *Rittenhouſe*, Mr. *Whitehill* and Col. *Galbreath* be added to the Committee for bringing in an Eſſay for a Frame of Government.
Adjourned to To-morrow Morning Nine o'Clock.

Friday, July 26, 1776, *A. M.*

The Houſe met, purſuant to Adjournment.
A Letter was read from General *Roberdeau*, dated *July* 24, 1776, at *Amboy*, complaining of the Slowneſs with which the Militia of this State come in, and deſiring that ſome Gun-Screws be ſent for the Uſe of the Troops.—The Convention apprehends, that they have done every Thing, at preſent in their Power, to expedite the March of the Forces of this State:——With reſpect to the Gun-Screws, that Matter is referred to the Council of Safety.
Upon Motion, *Ordered*,
That Colonel *Hill*, Colonel *Lowrey* and Mr. *John Hart* be a Committee

mittee to examine the Situation of the Funds of this State, and make Report of what Sums are in the Hands of the Treaſurer and late Committee of Safety, and alſo what Debts are yet due and unpaid by the State.

The Report of the Committee for the Declaration of Rights, was again read, and a Motion was made and ſeconded,—That the ſame be recommitted; — but the previous Queſtion being called for it, was thereupon,

Reſolved,

That the Queſtion be not now put on the ſaid Motion.

Adjourned to Three o'Clock in the Afternoon.

Friday, July 26, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

The Ordinance for the Releaſe of Col. *James Eaſton* was read, and ordered to be engroſſed for a third Reading.

Upon Motion, *Reſolved*,

That the Minutes of this Convention be publiſhed Weekly in *Engliſh* and *German*, and that this Houſe will appoint a Committee to ſuperintend the Publication.

The Houſe reſumed the Conſideration of the Report of the Declaration of Rights, and after ſome conſiderable Time ſpent therein, it was,

Upon Motion, *Reſolved*,

That the ſaid Report be recommitted to the ſame Committee who were originally appointed thereon.

The Committee appointed to bring in an Ordinance for delivering the Gaols of this State, now preſented an Eſſay for that Purpoſe, which being read, was ordered to lie on the Table for a ſecond Reading.

The Draught of Inſtructions for the Delegates in Congreſs was read and unanimouſly approved, and is as follows, *viz.*

In CONVENTION, *Philadelphia, July* 1776.

GENTLEMEN,

THIS Convention confiding in your Wiſdom and Virtue, has by the Authority of the People, choſen and appointed you to repreſent the Free State of *Pennſylvania* in the Congreſs of the United States of *America*, and authoriſed you, or a Majority of ſuch of you as ſhall at any Time be preſent, to vote for and in the Name of this State, in all and every Queſtion there to be decided; and this Convention apprehend it to be a Duty which they owe the Public to give you the following General Directions for your Conduct, confident, that you will at all Times pay the utmoſt Attention to the Inſtructions of your Conſtituents.

The immenſe and irreparable Injury which a Free Country may ſuſtain by, and the very great Inconveniencies which always ariſe from a Delay of its Councils, induce us, *in the firſt Place*, ſtrictly to enjoin and require you to give not only a conſtant, but a punctual Attendance in Congreſs.

The preſent Neceſſity of a vigorous Exertion of the united Force of the Free States of *America*, againſt our *Britiſh* Enemies, is the moſt important Object of your immediate Regard, and points out the Neceſſity of cultivating and ſtrengthening, by every Means in your Power, the preſent happy Union of theſe States, until ſuch a juſt, equal and perpetual Confederation can be agreed upon, and finally effected, as will be the moſt likely to ſecure to each the perfect Direction of its own internal Police:—In the Forming of which Confederation, you are to give your utmoſt Aſſiſtance.

We recommend to you to uſe your utmoſt Power and Influence in Congreſs, to have a due Attention paid to the eſtabliſhing, and maintaining a reſpectable Naval Force; as ſuch a Force is abſolutely neceſſary to every trading Nation, and is the leaſt expenſive or dangerous to the Liberties of Mankind.

With reſpect to the forming of Treaties with foreign Powers, it is neceſſary only to ſay, that we ſtrictly charge and enjoin you, not to agree to, or enter into any Treaty of Commerce or Alliance with *Great-Britain*, or any other foreign Power, but (on the Part of *America*) as Free and Independent States:—And, that whenever *Great-Britain* ſhall acknowledge theſe States free and independent, you are hereby authoriſed, in Conjunction with the Delegates of the other United States, to treat with her concerning Peace, Amity and Commerce, on juſt and equal Terms.

Adjourned to Ten o'Clock To-morrow Morning.

Saturday, July 27, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

On Motion, *Ordered*,

That Mr. *Edward Cook* be added to the Committee appointed to confer with the *Virginia* Delegates.

Two

Two ſeveral Petitions, the one from *John Williams*, the other from *James Forbes* and *William Patton*, Priſoners in the Gaol of *Lancaſter* County, praying Relief, were read;—and the Convention, being of Opinion that their Caſes will be provided for in the Ordinance brought in for the Relief of Priſoners in general, they were *Ordered to lie on the Table.*

A Letter from the Committee of *Lancaſter* County being read, was ordered to be referred to the Council of Safety.

On Motion, *Ordered*,

That Colonel *Hill* and Mr. *Hubley* be a Committee to reviſe the Minutes of this Houſe, and ſuperintend the Printing them in *Engliſh* and *German*.

The Houſe reſumed the Conſideration of the Report of the Committee for the Quotas for the additional Battalions, and after ſome Debate thereon, agreed to poſtpone the ſame till another Day.

The Ordinance for the Releaſe of Colonel *James Eaſton* being engroſſed, was read a third time, and ordained in the following Words, *viz.*

An ORDINANCE for the Releaſe of Colonel *James Eaſton.*

WHEREAS it appears to the Convention, upon the Report of their Committee upon the Caſe of Colonel *James Eaſton*, a Priſoner confined in the Gaol of the City and County of *Philadelphia* on Actions for Debt,—that there is no equitable Cauſe for continuing the ſaid Colonel *Eaſton* in Confinement; therefore, be it Ordained, and it is hereby Ordained by the Convention of the State of *Pennſylvania*, That *William Dewees*, heretofore appointed High Sheriff of the ſaid City and County of Philadelphia, (under the late Conſtitution of *Pennſylvania*) do forthwith diſcharge the ſaid Colonel *James Eaſton* out of Cuſtody.

The Committee appointed to bring in an Eſſay of the Declaration of Rights, and to whom the ſame was recommitted, reported a new Draught thereof; which being in Part read by Paragraphs, and debated upon for ſome Time; was poſtponed for further Conſideration.

Adjourned to Nine o'Clock *Monday* Morning.

ERRATA.

Page 6, Line 16, from the Top, *for* enjoin the Secrecy, *read* enjoin Secrecy.
Page 8, Line 5, from the Bottom, *for* from the Old to the New Gaol, *read* from the New to the Old Gaol.

MINUTES
OF THE
CONVENTION
For the STATE of *PENNSYLVANIA*,

From MONDAY, *July* 29, to FRIDAY, *Auguſt* 1, 1776.

Monday, July 29, 1776, *A. M.*

THE Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Draught of the Declaration of Rights; and went through the ſame by Paragraphs: Whereupon it was

Ordered,

That Colonel *Hill* and Mr. *Hubley* procure to be printed Ninety-ſix Copies of the ſaid Draught, for the further Conſideration of the Members of this Houſe.

Adjourned to Three o'Clock To-morrow Afternoon.

Tueſday, July 30, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

Application being made to this Houſe, by the Council of Safety, that this Convention would determine the Matter reſpecting the Command of the Fleet of this State; it was, after Debate,

Ordered,

That the Conſideration of the ſaid Application be poſtponed.

On Motion, *Reſolved*,

That on *Saturday* next, the Members of this Convention will viſit the Fortifications, the Ships, Floating Battery, Gallies, *&c.* at *Fort Iſland*.

A Memorial from the Committee of Inſpection, and a Petition from many of the Inhabitants of the County of *Northumberland*, were read, praying the Aſſiſtance of this Convention to provide againſt the expected Hoſtilities of the *Indians*. *Ordered to lie on the Table.*

Adjourned to Nine o'Clock To-morrow Morning.

Wedneſday, July 31, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Conſideration of the Draught of an Ordinance brought in for the Relief of the Priſoners confined in the ſeveral Gaols of this State, was reſumed, and the ſame being read by Paragraphs, debated upon, and amended, was ordered to be tranſcribed for a third Reading.

On Motion, *Reſolved*,

That the Council of Safety be impowered and directed to tranſact the Buſineſs ſpecially referred to the Committee of this Houſe, appointed on the 18th Day of *July* Inſtant, to confer with a Committee of the Honourable Congreſs.

The Conſideration of the Draught of an Ordinance brought in for puniſhing the Counterfeiting the Paper Currency of *America*, was reſumed; and the ſame being read by Paragraphs, debated upon, and amended, was ordered to be tranſcribed for a third Reading.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, July 31, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Petition of *William Nichols* was read, and ordered to be referred to the Overſeers of the Poor, to take Care of the Petitioner.

The Petitions of *Mathew Knox* and *William Caldwell* were read, and the Houſe apprehending that the Caſes of the Petitioners will be provided for in the General Ordinance for the Relief of Priſoners, they were *Ordered to lie on the Table.*

The Houſe reſumed the Conſideration of the Petition and Memorial from *Northumberland*, and it was

Moved and *Ordered*,

That Colonel *Kirkbride*, Colonel *Lowrey*, Mr. *Arndt*, Colonel *Potter*,

and Major *James Smith* of *Weſtmoreland*, be a Committee to enquire into the Facts ſet forth in the Memorial and Petition from *Northumberland*, and report thereon to this Houſe.

The Ordinance reſpecting Treaſon, was read by Paragraphs, and after ſome Time ſpent thereon, the further Conſideration of it was poſtponed.

Adjourned to To-morrow Morning Nine o'Clock.

Thurſday, Auguſt 1, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The engroſſed Copies of the Draughts of the two propoſed Ordinances, the one entituled, "*An Ordinance for the Relief of the Priſoners in the ſeveral Gaols in the State of* Pennſylvania;"—the other entituled, "*An Ordinance to prevent the Counterfeiting the Paper-Money iſſued by the Honourable the Continental Congreſs, or by this or any other of the United* American *States*," were read and compared at the Table, and paſſed into Ordinances, and ordered to be ſigned by the Vice-Preſident.

Theſe Ordinances are in the following Words, *viz.* "*An Ordinance for the Relief of the Priſoners in the ſeveral Gaols in the State of* Pennſylvania."

"WHEREAS at this Time the Courts of Juſtice within this State are ſurceaſed, and all Proceſs and Proceedings, by which Suits can be legally commenced, proceeded in, or determined, are by the Authority of the People juſtly and totally ſuppreſſed: *And whereas*, the detaining in Cuſtody Debtors under Execution, who are willing to deliver up their Eſtates for the Uſe of their Creditors, or Debtors confined under meſne Proceſs, who have no legal Mode of entering Bail in order to free their Perſons from Impriſonment, is not only oppreſſive, but can be of no real Benefit or Advantage to the Creditors: And whereas a total Change of Government by the Aſſiſtance of Divine Providence has been effected within the UNITED STATES; and Acts of Grace to Criminals ſometimes are granted on Events of ſuch Importance: *Be it Ordained and Declared* by the Repreſentatives of the Freemen of the State of *Pennſylvania*, in General Convention met, *That* all and every Perſon and Perſons impriſoned or detained in any Gaol within this State, by Reaſon of any Proceſs, Writ, or Commitment for Debt, or any criminal Offence whatſoever (except for Capital Offences; or Practices againſt the preſent virtuous Meaſures of the *American* States, or Priſoners of War) be forthwith releaſed and diſcharged.

"*Provided always*, That all and every Perſon and Perſons, who ſhall take or claim the Benefit of this Ordinance, ſhall before his, her or their Diſcharge, exhibit a Petition in the reſpective Counties where ſuch Perſon or Perſons are confined, to the Perſons hereinafter named, ſetting forth the Reaſons of ſuch their Impriſonment; and if he, ſhe or they ſo petitioning ſhall be charged in Execution, ſuch Priſoner or Priſoners, ſhall with his, her or their Petition, annex the Names of his, her or their Creditors, and the Debts due, as near as can be, and certify an Account of his, her or their whole real and perſonal Eſtate, with the Securities wherein any Part of it conſiſts, and the Deeds, Books of Accompts, Notes or Bonds relating thereunto; and upon ſuch Petitions and Certificates delivered, the Perſons hereinafter named in the reſpective Counties, or any two of them, may, and they are hereby required to, order ſuch Priſoners to be brought before them, and adminiſter or tender to ſuch Priſoners the Oath or Affirmation heretofore required and taken in Caſes of Inſolvent Debtors, by Act of Aſſembly of *Pennſylvania* made in the Year of our LORD One Thouſand Seven Hundred and Twenty-nine; and upon having taken ſuch Oath or Affirmation, ſuch Priſoner or Priſoners ſhall make an Aſſignment of ſuch his, her or their Eſtate in the ſame Manner as required by the ſaid Act of Aſſembly, and to, and for the Purpoſes therein mentioned, and ſubject to the Pains and Penalties declared in the ſaid Act; and thereupon he, ſhe or they, ſhall be diſcharged out from Cuſtody: From and after which Diſcharge, he, ſhe or they, ſhall not at any Time hereafter be impriſoned for the ſame Debt or Debts for which he, ſhe or they have made ſuch Aſſignment. And in Caſe it ſhall appear that the Perſon or Perſons confined, is or are in Cuſtody upon meſne Proceſs only, the Perſons hereinafter named, or any two of them, in the reſpective Counties, ſhall, and are hereby required, by Order in Writing under their Hands, to diſcharge ſuch Priſoner or Priſoners, from his, her or their Confinement. *Provided nevertheleſs*, that ſuch Suit or Action ſhall not ceaſe until finally determined by due Courſe of Law."

"*And be it further Ordained*, That *George Bryan*, *James Young*, *Jacob Schryner*, *John Bull*, *Henry Hill* and *Peter Knight*, of the City and County of *Philadelphia*, or any two of them, be, and are hereby nominated, impowered and required, to hear and diſcharge the Priſoners in the Gaol of the City and County of *Philadelphia*:—And *John Wilkinſon*, *Henry Wynkoop* and *James Wallace*, of the County of *Bucks*, or any two of them, be, and are hereby nominated, impowered and required, to hear and diſcharge the Priſoners in the Gaol in the County of *Bucks*:—And *David Cowpland*, *John Croſby* and *John Sellers*, of the County of *Cheſter*, or any two of them, be, and are hereby nominated, impowered and required, to hear and diſcharge the Priſoners in the Gaol of the County of *Cheſter*:—And *William Henry*, *William Bowſman* and *John Hopſon*, of the County of *Lancaſter*, or any two of them, be, and are hereby nominated,

" nated, impowered and required, to hear and diſcharge the Priſoners in the Gaol of the County " of *Lancaſter*:—And *Samuel Johnſton*, *Martin Eychelberger* and *William Leas*, of the County of " *York*, or any two of them, be, and are hereby nominated, impowered and required, to hear " and diſcharge the Priſoners in the Gaol of the County of *York*:—And *Robert Miller*, *John* " *Holmes* and *Stephen Duncan*, or any two of them, be, and are hereby nominated, impowered and " required to hear and diſcharge the Priſoners in the Gaol of the County of *Cumberland*:—And " *James Read*, *William Raſer* and *Daniel Hieſter*, of the County of *Berks*, or any two of them, " be, and are hereby nominated, impowered and required, to hear and diſcharge the Priſoners " in the Gaol of the County of *Berks*:—And *Robert Trail*, *Abraham Birlain* and *Henry Barnet*, of " the County of *Northampton*, or any two of them, be, and are hereby nominated, impowered " and required to hear and diſcharge the Priſoners in the Gaol in the County of *Northampton*: " —And *William Todd*, *Charles Ciſna* and *Robert Elliot*, of the County of *Bedford*, or any two of " them, be, and are hereby nominated, impowered and required to hear and diſcharge the Pri- " ſoners, in the Gaol in the County of *Bedford*:—And *Samuel Hunter*, *Laughlin M'Cartney* and " *John Boyd*, of the County of *Northumberland*, or any two of them, be, and are hereby no- " minated, impowered and required, to hear and diſcharge the Priſoners in the Gaol of the " County of *Northumberland*:—And *Edward Cook*, *Robert Hanna* and *David Semple*, of the County " of *Weſtmoreland*, or any two of them, be, and are hereby nominated, impowered and required " to hear and diſcharge the Priſoners in the Gaol in the County of *Weſtmoreland*."

" *And* that all Sheriffs and Gaolers heretofore elected and appointed, and all other Perſons " within this State, give due Obedience to the ſaid Perſons, or any two of them, within their " ſeveral Counties, who have been hereby authoriſed and appointed, to hear and diſcharge the " Priſoners aforeſaid."

" *And be it further Ordained*, That the ſeveral Sheriffs and Gaolers of the ſeveral and re- " ſpective Counties, heretofore elected and appointed, ſhall, and they are hereby authoriſed, di- " rected and commanded to keep in ſafe Cuſtody all ſuch Perſons that now are, or ſhall hereafter " be, committed to them, for Capital Offences, Practices againſt the preſent virtuous Meaſures " of the *American* States, and Priſoners of War, until they ſhall be diſcharged by due Courſe " of Law, or by the Authority of the Honourable the Congreſs of the UNITED STATES.—

By Order of the Convention

(Signed) GEORGE ROSS, *Vice-Preſident*."

Paſſed 1ſt Day of *Auguſt*, 1776.

Atteſt. JOHN MORRIS, junior, *Secretary*.

" *An ORDINANCE to prevent the Counterfeiting the Paper-Money iſſued by the Honourable* " *the Continental Congreſs, or by this or any other of the United* American *States.*

" WHEREAS great Miſchiefs may ariſe to the UNITED STATES of *America*, and the " Property of the good People Inhabitants thereof rendered precarious and inſecure, by " wicked and deſigning Perſons counterfeiting the Paper Bills of Credit iſſued by the Honourable " the Continental Congreſs, or by any of the United States of *America*: For remedy whereof, *Be it* " *Ordained and Declared*, and it is hereby ordained and declared, by the Repreſentatives of the " Freemen of the State of *Pennſylvania*, in General Convention met, That if any Perſon or Per- " ſons ſhall preſume to counterfeit any of the Bills of Credit iſſued, or hereafter to be iſſued by " the Honourable the Continental Congreſs, or by, and under any Laws or Reſolves of the As- " ſembly of *Pennſylvania*, or by the Legiſlatures or Aſſemblies, or Conventions of this, or any " other of the UNITED STATES, by printing or procuring the ſame to be printed in the Likeneſs " of the ſaid genuine Bills of Credit; and alſo, if any Perſon or Perſons ſhall forge the Name " or Names of the Signers of the true Bills of Credit, to ſuch counterfeit Bills, whether the " Counterfeiting of the Bills or Names be done within this State, or elſewhere, or ſhall utter " ſuch Bills knowing them to be ſo counterfeited as aforeſaid, and being thereof legally con- " victed by Confeſſion, ſtanding mute, or by Verdict of twelve Men, in any Court of Oyer and " Terminer hereafter to be erected within this State, he, ſhe or they ſhall ſuffer Death, and " the Diſcoverer or Informer ſhall have, as an Encouragement for his, or her Diſcovery, the " Sum of *Fifty Pounds* to be levied out of the Goods and Chattels, Lands and Tenements of " the Perſon convicted, and, if no ſuch Goods or Chattels, Lands or Tenements can be found, " a Reward of *Twenty Pounds* ſhall be paid out of the Public Treaſury. And if any Perſon or " Perſons ſhall counterfeit any of the ſaid Bills of Credit, by altering the Denomination of the " ſaid Bills, with Deſign to encreaſe the Value of ſuch Bills, or ſhall utter ſuch Bills knowing " them to be ſo counterfeited, or altered, as aforeſaid, and ſhall be thereof legally convicted in " any Court of Record hereafter to be eſtabliſhed in this State, ſuch Perſon or Perſons ſhall be " ſentenced to the Pillory, and have both his or her Ears cut off and nailed to the Pillory, and " be publickly whipped on his, or her bare Back, with Thirty-one Laſhes well laid on.

" And moreover, every ſuch Offender ſhall forfeit the Sum of *One Hundred Pounds*, to be levied " on his Lands and Tenements, Goods and Chattels, the one Half to the Uſe of the State, and " the other Half to the Diſcoverer. And the Offender ſhall pay the Party double the Value of the " Damages thereby ſuſtained, together with the Coſts and Charges of the Proſecution; and in " Caſe the Offender hath not ſufficient to ſatisfy the Diſcoverer for his or her Damages and

" Charges,

" Charges, and pay the Forfeiture aforeſaid, in ſuch Caſe the Offender ſhall, by Order of the " Court where he, or ſhe ſhall be convicted, be ſold for any Term not exceeding Seven Years, " for Satisfaction; and in ſuch Caſe the Treaſurer of this State ſhall reward the Diſcoverer of " ſuch inſolvent Offender to the Value of *Five Pounds* out of the public Monies in his Hands: " And every ſuch counterfeit Bill ſhall be delivered to the ſaid Treaſurer, to be burnt and " deſtroyed."

" *And be it further Ordained and Declared*, That the Paper Bills of Credit iſſued by the " Honourable the Continental Congreſs, or under the late Laws, or by the Reſolves of the late " Aſſembly of *Pennſylvania*, ſhall be legal Tender in all Caſes whatſoever within this State."

By Order of Convention,

Paſſed the 1ſt Day of *Auguſt*, 1776. GEORGE ROSS, *Vice-Preſident*."

Atteſt. JOHN MORRIS, junior, *Secretary*.

On Motion, *Reſolved*,

That this Convention will To-morrow Morning reſolve itſelf into a Committee of the whole Houſe, in Order to take into Conſideration ſome important Matters relative to the propoſed new Frame of Government.

Alſo *Ordered*,

That every Member of this Convention be punctual in his Attendance at the Houſe To-morrow Morning.

The Committee appointed to conſider the Petition and Memorial from *Northumberland* County, reported, that the Facts therein ſet forth, are well ſupported by Evidence, and therefore recommend the immediate Conſideration thereof to this Convention: And the Houſe having deliberated thereon, it was

Reſolved,

That it is the Opinion of this Convention, that the Inhabitants of the ſaid County, and County of *Northampton*, are greatly expoſed to *Indian* Incurſions, without being able to make a proper Defence, on Account of the ſcattered Situation of the Inhabitants, they being ſettled in ſuch Manner as to be unable to afford each other neceſſary Aſſiſtance.

Reſolved,

That it is the Opinion of this Convention, that it will be proper to raiſe and keep up a Body of Troops for the Defence of the Frontiers, not only of the County of *Northumberland*, but alſo, of the County of *Northampton*, the latter County being equally expoſed to *Indian* Incurſions.

Reſolved,

That it is the Opinion of this Convention, that the defenceleſs Situation of thoſe Parts of our Frontiers be made known to the Congreſs, by the Delegates of this State, and that they further inform them, that the Battalion ordered to be raiſed for Defence of the Weſtern Frontiers, can afford no Aſſiſtance to thoſe two Counties, and that the Quota of Militia of *Northampton* firſt required for the Flying-Camp, is already marched, and the Reſidue of the Militia is about to march agreeable to the late Requeſt of Congreſs, by which Means they will be without the leaſt Defence, and requeſt Congreſs to take theſe Matters into their Conſideration.

The Draught of an Ordinance for puniſhing High Treaſon, was read a ſecond time by Paragraphs; ordered to be tranſcribed for a third Reading.

Adjourned to Three o'Clock in the Afternoon.

Thurſday, Auguſt 1, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

Adjourned to Nine o'Clock To-morrow Morning.

Friday, Auguſt 2, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Memorial from the Inhabitants of *Turkey Foot* Townſhip, in *Bedford* County, ſetting forth their Opinion reſpecting the intended new Frame of Government, was read, and

Ordered to lie on the Table.

The Order of the Day was then read, and the Convention, in Conſequence thereof, reſolved itſelf into a Committee of the whole Houſe.

Colonel *Joſeph Kirkbride* was called to, and aſſumed the Chair.

After a very conſiderable Time ſpent in Deliberation, the Preſident reſumed the Chair, and then Colonel *Kirkbride*, the Chairman of the Committee, reported,

That it was the Opinion of the ſaid Committee, that the future Legiſlature of this State ſhall conſiſt of one Branch only, under proper Reſtrictions.

Whereupon it was moved, and

Reſolved,

That the future Legiſlature of this State ſhall conſiſt of one Branch only, under proper Reſtrictions.

Adjourned to *Monday* Morning Nine o'Clock.

MINUTES

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

From MONDAY, *Auguſt* 5, to SATURDAY, *Auguſt* 10, 1776.

Monday, Auguſt 5, 1776, P. M.

THE Convention met, purſuant to Adjournment.

On Motion, *Reſolved*,

That when any Member ſhall be abſent above half an Hour after the Time of Adjournment, or ſhall leave the Houſe without Permiſſion firſt obtained, he ſhall be fined *Seven Shillings* and *Six-pence*, if there ſhall be a Quorum then met: And if there ſhall not, within another half Hour, appear a Quorum, then each abſent Member ſhall be fined *Ten Shillings*, as ſoon a Quorum appears. The ſaid Fines to be given to the Hoſpital.

And alſo, That Mr. *James M'Clain* collect the ſaid Fines.

The Report of the Committee for enquiring into the State of the public Funds, was read,

Ordered to lie on the Table for the Conſideration of the Members.

The Houſe reſumed the Conſideration of the Application made to this Convention by the Council of Safety, to determine the Matter reſpecting the Command of the Fleet of this State: Whereupon it was moved and ſeconded,

That the ſaid Determination be refered wholly to the ſaid Council of Safety; and that the Officers and others in the Naval and Land Service of this State ought not, in all Caſes, to riſe in Command according to Seniority, although proper Regard ſhould be had to that Circumſtance in Promotions where there are equal Merit and equal military Abilities. And that the Council of Safety of this State ſhall have full Authority to uſe their beſt Diſcretion, ſo as moſt effectually to promote the Service. And all Officers and others are hereby required and ſtrictly enjoined to give and pay full and implicit Obedience to their Regulations and Orders.

But the previous Queſtion being called for and ſeconded, it was thereupon

Reſolved,

That the Queſtion be not now put on the ſaid Motion.

Jacob Garrigues, the Aſſiſtant-Clerk, now appearing, took the Affirmation required by a former Minute.

On Motion, *Reſolved*,

That Mr. *Rittenhouſe*, Col. *Antis*, Mr. *Samuel Smith*, Mr. *John Hart*, Major *Marſteller*, Mr. *Elgan*, Mr. *Duffield*, Mr. *Shoemaker*, Mr. *Gray*, Mr. *Wilkins*, Mr. *Kelley* and Major *James Smith* be a Committe to bring in an Ordinance for regulating the Militia of this State, ſo as to render the Burthens and Expences of the Aſſociators and Non-Aſſociators as nearly equal as poſſible.

On Motion, *Ordered*,

That Colonel *Jacob Morgan* be re-appointed one of the Committee for bringing in an Eſſay for a Frame of Government, in the Room of Mr. *Leſher*, who is abſent.

Moved and *Reſolved*,

That Mr. *Biddle*, Colonel *Hill* and Mr. *Hubley* be a Committee to bring in an Ordinance to regulate the Sale of Tea and Salt, in this State.

Moved and *Reſolved*,

That Mr. *Biddle*, Colonel *Hill* and Mr. *Hubley* be a Committee to bring in an Ordinance reſpecting the Salt imported by *Joſhua Fiſher* and Sons.

Adjourned to Three o'Clock To-morrow Afternoon.

Tueſday, Auguſt 6, 1776, P. M.

The Convention met, according to Adjournment.

On Motion, *Reſolved*,

That Colonel *Potter*, Colonel *Galbreath* and Mr. *Hubley* be a Committee to conſider the granting of Commiſſions for the Officers of the Flying Camp.

A Petition from *Thomas Wigton*, now a Priſoner in the Gaol of *Northampton* County, was read, complaining of his arbitrary Impriſonment by Mr. *Gordon* and Mr. *Berlin*; and thereupon it was

Reſolved,

Reſolved,

That Colonel *Lowrey*, Mr. *Arndt* and Mr. *Rabſon* be a Committee to enquire into the Truths of the Facts therein ſet forth.

Moved,

That a Committee be appointed to bring in an Ordinance for regulating the Militia of this State; but the previous Queſtion being called for, it was thereupon

Reſolved,

That the Queſtion on that Motion be not now put.

Application being made to this Houſe by the Deputy Quarter-Maſter General in this City, for Directions with reſpect to Quartering the Troops marching through ſame; the Conſideration thereof is referred to the Council of Safety.

On Motion, *Ordered*,

That Mr. *Schloſſer* be added to the Committee appointed for regulating the Militia, *&c.*

Adjourned to Three o'Clock To-morrow Afternoon.

Wedneſday, Auguſt 7, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

Mr. *William Cook* appearing in the Houſe for the firſt time, took the Oath, and made and ſubſcribed the Profeſſion of Faith.

Leave of Abſence for three Days (on ſpecial Occaſions) was given to Major *Marſteller*.

A Letter from Colonel *Bird*, of the *Berks* County Militia, reſpecting a Diſpute between him and ſome of the other Officers of that County, was read, and thereupon it was

Reſolved,

That the Colonels *Bird* and *Old* be ordered to march with the Companies under their reſpective Command to *New-Jerſey*, and continue to command them until the Return of the Militia, ſubject to ſuch Regulations, as this Convention or the Council of Safety may hereafter eſtabliſh in that particular Affair, on hearing the Parties.

A Letter from the Field Officers of the third Batallion of *Northampton* County, reſpecting the Want of Arms and Ammunition, for that Corps, and the Danger of *Indian* Incurſions, on that Frontier County, was read, and ordered that the ſame be referred to the Council of Safety.

The Committee appointed to examine the Facts ſet forth in the Petition of *Thomas Wigton*, report, that the ſaid *Wigton* was releaſed before the Appointment of the Committee, and that nothing further is neceſſary to be done thereon.

On Motion, *Reſolved*,

That Colonel *Hill*, Mr. *Whitehill*, Mr. *Gray*, Colonel *Thomas Smith*, and Colonel *Potter* be a Committee to conſider of the moſt effectual and expeditious Meaſures for raiſing the Quota of this State for the Flying Camp: And that it be an Inſtruction to the ſaid Committee to enquire of the Delegates to Congreſs from *Maryland*, and the *Delaware* Counties, what Meaſures have been taken by thoſe States, for the raiſing their Proportions.

Adjourned to Nine o'Clock To-morrow Morning.

Thurſday, Auguſt 8, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Member obſerving that this was a Day appropriated by a very reſpectable religious Society for Humiliation and Prayer, it was thereupon

Reſolved,

That this Convention do adjourn to Nine o'Clock To-morrow Morning.

Friday, Auguſt 9, 1776, *A. M.*

The Houſe met, purſuant to Adjournment.

The Committee appointed to conſider of the moſt effectual Means to raiſe the Quota for the Flying Camp, *&c.* reported a Draught of an Ordinance for that Purpoſe, which was read, and ordered to lie on the Table for a ſecond Reading To-morrow.

A Letter from Colonel *John Dickinſon*, dated *Elizabethtown*, *Auguſt* 6, 1776, to this Convention, relating to the Uneaſineſſes of the Firſt Battalion of the *Pennſylvania* Militia, was read.

A Report from the Committee appointed to conſider of the granting Commiſſions to the Officers of the Flying Camp, was read, recommending that blank Commiſſions ſhould be ſigned by the Preſident of this Convention, and ſent to General *Roberdeau*, after ſome debating thereon, the Conſideration thereof was ordered to be poſtponed.

A ſecond Petition of *Thomas Wigton*, complaining of his Impriſonment in *Eaſton* Gaol, was read, and *Ordered to lie on the Table.*

On Motion, *Ordered*,

That Two Thouſand Copies of the Particulars of the Rations allowed for the Flying Camp, be printed and diſperſed among the Men.

Upon

Upon a Motion, to reſume the Conſideration of the Draught of the Declaration of Rights, it was agreed that the ſame be poſtponed to *Tueſday* next.

On Motion, *Reſolved*,

That Colonel *Hill*, Colonel *Kirkbride*, Mr. *Cunningham*, Colonel *James Smith*, Mr. *Hoge* and Colonel *Potter* be a Committee to bring in a Draught of an Ordinance, appointing certain Perſons therein to be named, in the City and ſeveral Counties of this State, to preſerve the public Peace, under the Name of *Conſervators of the Peace*; and that it be an Inſtruction to the ſaid Committee to inſert therein the Names of the Council of Safety as *Conſervators of the Peace* throughout the whole State; — and alſo the Names of ſuch Perſons for the City and the ſeveral Counties reſpectively, as ſhall be reſpectively nominated by the Members of this Houſe, for the City and ſeveral Counties: And that the ſaid Committee ſhall frame a Teſt to be taken by each of the ſaid *Conſervators*, before he acts in the ſaid Office.

The Petition of *David Gready* was read, and *Ordered to lie on the Table.*

Whereas the Time for which the Committee of Inſpection and Obſervation, for the City and Liberties of *Philadelphia*, as well as the Times for which the Committees of ſeveral of the Counties of this State were elected into that Office, are near expiring; and whereas the Aſſociators of the ſaid City and Counties, who compoſe a great Majority of the Electors, are or may be, at ſuch Expiration, abſent in the Service of their Country, and it would be highly inexpedient that the ſaid City or Counties ſhould either be without ſuch Committees, or that they ſhould be partially elected.

Reſolved therefore,

That the preſent Committees of the ſaid City and Counties reſpectively, ſhall continue to execute the Duty of their ſaid Offices, until the Militia of ſuch City and Counties reſpectively, ſhall return, and other Committees be regularly choſen: Excepting from this Reſolve the Committees of the Counties of *Cumberland*, *Bedford*, *Northumberland* and *Weſtmoreland*.

On Motion, *Reſolved*,

That no Tavernkeepers or others, take out any Licences from the Officers of the late Government of this State.

Adjourned to Nine o'Clock To-morrow Morning.

Saturday, Auguſt 10, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

According to the Order of the Day, the Draught of the Ordinance reſpecting the Flying Camp, was read by Paragraphs, and after long Debates thereon, the Houſe came to the following Reſolutions.

1ſt, *Reſolved*,

That the Commanding Officers of the ſeveral Battalions in the reſpective Counties of this State, immediately march into *Jerſey*, with their whole Battalions.

2d, *Reſolved*,

That the Aſſociators of the Counties of *Bedford*, *Northumberland*, *Northampton* and *Weſtmoreland*, and the Guards of the City of *Philadelphia*, retained by the Council of Safety, and two Companies of Colonel *Roſi's* Battalion, and two Companies of Colonel *Slough's* Battalion, of about Fifty Men each, left to guard the Priſoners, and about Sixty Carpenters and Workmen, retained by the Committee of *Lancaſter*, be excepted out of the foregoing Reſolve.

3d, *Reſolved*,

That a Bounty of *Three Pounds* be paid to every Aſſociator, who has entered or will enter into the Service in the Flying Camp, to continue until the Firſt Day of *January* next, if not ſooner diſcharged, excepting ſuch as have already received a Bounty.

4th, *Reſolved*,

That ſuch Battalions as have or ſhall furniſh their Quotas for the Flying Camp, and have been in actual Service Six Weeks, ſhall be permitted to return home—If the Generals and Field Officers ſhall judge it conſiſtent with the public Safety: And when the whole cannot be permitted to return, Furlows are to be granted in Caſes of particular Neceſſity.

5th, *Reſolved*,

That three Commiſſioners be appointed to go to Head-Quarters in *Jerſey*, to form the Flying Camp.

6th, *Reſolved*,

That the Commiſſioners with the Field Officers of the Counties reſpectively, ſhall nominate the Officers for the Flying Camp, where they are not already nominated.

7th, *Reſolved*,

That Money be put into the Hands of the Commiſſioners, for the Purpoſe of paying the Bounty.

On Motion, *Ordered*,

That Colonel *Hill* be one of the Committee, for Conſidering of the Quotas for the additional Battalions for the Flying Camp, in the Room of Major *Loller*.

Ordered,

That the Secretary tranſmit the Reſolves to General *Roberdeau*.

Adjourned to Ten o'Clock on *Monday* Morning.

MINUTES

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

From MONDAY, *Auguſt* 12, to SATURDAY, *Auguſt* 17, 1776.

Monday, Auguſt 12, 1776, *A. M.*

THE Convention met, purſuant to Adjournment.

A Letter from Colonel *Dickinſon*, informing of the Deſertion of two Soldiers of his Battalion, was read, and ordered to be referred to the Council of Safety.

Letters from General *Mercer* and Colonel *Dickinſon*, relative to the Deſertions of the Militia, were, by Order of Congreſs, laid before this Houſe.

Mr. Vice-Preſident, Colonel *Matlack* and Colonel *Slagle* were choſen by Ballot Commiſſioners to go to Head-Quarters in *Jerſey*, to form the Flying Camp.

A Petition from Major *Loxley* was read, praying this Houſe would be pleaſed to appoint a Committee for him to conſult with on the Buſineſs committed to his Charge: Upon Conſideration the ſame was referred to the Council of Safety.

The Houſe reſumed the Conſideration of the Report of the Committee appointed to fix the Quotas of the four additional Battalions for the Flying Camp; and, upon Motion, it was

Reſolved,

That the Houſe do approve the ſame.

The ſaid Report is as follows, *viz.*

The City of	*Philadelphia*,	628 Men
The County of	*Philadelphia*,	160
	Bucks,	100
	Cheſter,	160
	Lancaſter,	323
	Berks,	240
	York,	515
	Northampton,	278
	Cumberland,	580
		2,984 Men.

Moved and *Reſolved*,

That the Secretary furniſh the Members of this Houſe for the ſeveral Counties in this State, with Copies of the Reſolves of laſt *Saturday*, in order that they may be tranſmitted to the ſeveral Committees, and by them to the Commanding Officers of the ſeveral Battalions.

Adjourned to Four o'Clock, *P. M.*

Monday, Auguſt 12, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

On Motion, *Reſolved*,

That an Order be drawn on the Council of Safety of this State, for *Ten Thouſand Pounds*, in Favour of the Commiſſioners appointed to go to Head-Quarters in *Jerſey*, to form the Flying Camp; which Money is to be applied by them to that Service.

On Motion, *Reſolved*,

That no Aſſociator of, or belonging to, this State, inliſt any Men to ſerve in the Flying Camp, for any other County or City than that to which he belongs, until the Quotas of ſuch County or City is compleated.

The Petitions of the Captains of the Gallies of this State being read, it was thereupon

Reſolved,

That Mr. *Schloſſer*, Colonel *Hill*, Mr. *Samuel Smith*, Mr. *John Mackey*, Col. *Lowrey*, Mr. *Edgar*, Mr. *M'Clain*, Colonel *Morgan*, Colonel *Stroud*, Mr. *Thomas Coulter*, Colonel *William Cook* and Mr. *Edward Cook* be a Committee to hear the Petitioners on the Subject Matter of their Petitions; and the ſaid Committee are deſired to take the earlieſt Opportunity of attending to this Buſineſs.

Two Ordinances reſpecting the Sale of Salt and Tea were read the firſt time, and ordered to lie on the Table for a ſecond Reading.

Adjourned to Nine o'Clock To-morrow Morning.

Tueſday, Auguſt 13, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Report made by the Gentlemen appointed to conſider the granting of Commiſſions for the Officers of the Flying Camp; and after ſome Amendments made therein at the Table, it was agreed to in the following Terms, *viz.*

" That Commiſſions for the Officers of this State, for the Flying Camp, ſhould be granted " by this Convention; and that a Number of Blank Commiſſions, ſigned by the Preſident of " the Convention, be immediately prepared, and delivered to the Commiſſioners appointed to " form the Flying Camp, to be by them, and the Field Officers of the reſpective Battalions, filled " up, and delivered to the reſpective Officers, having due Regard to the Time of the Appoint- " ment of ſuch Officers."

The Order of the Day was then read; and thereupon the Draught of the Declaration of Rights being read, the Houſe reſolved itſelf into a Committee of the Whole.

Colonel *Kirkbride* was called to, and aſſumed the Chair; after ſome conſiderable Time ſpent in debating thereon, the Preſident reſumed the Chair, when Colonel *Kirkbride* reported from the Committee, that they had made ſome Progreſs in the Buſineſs referred to them, and deſired Leave of the Houſe to ſit again.

Adjourned to Four o'Clock, *P. M.*

Tueſday, Auguſt 13, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

The Preſident preſented to the Convention a Petition from ſome of the Inhabitants of *Berks* County to Congreſs, praying an Exemption of Weavers and Blackſmiths, from perſonal Service, which was referred to this Houſe by Congreſs: The ſame being read, was

Ordered to lie on the Table.

The Convention then reſolved itſelf into a Committee of the whole Houſe; Colonel *Kirkbride* was called to, and aſſumed the Chair; and after ſome conſiderable Time ſpent in debating and conſidering the Draught of the Declaration of Rights, the Preſident reſumed the Chair, when Colonel *Kirkbride* reported from the Committee that they had made conſiderable Progreſs in the Buſineſs committed to them, and deſired Leave of the Houſe to ſit again on *Thurſday* next.

Adjourned to *Thurſday*, the 15th Inſtant, at Nine o'Clock in the Morning.

Thurſday, Auguſt 15, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Committee appointed to bring in an Ordinance for rendering the Burthens of Aſſociators, and Non-Aſſociators as equal as poſſible, reported a Draught for that Purpoſe, which being read the firſt time, was ordered to lie on the Table for a ſecond Reading.

The Committee appointed to hear the Petitions of the Captains of the Gallies, made a Report in Writing, which being read, was *Ordered to lie on the Table.*

A Member preſented to the Houſe the Draught of an Ordinance for regulating the Militia of the Frontier Counties, in Caſe of *Indian* Incurſions, which being read, was

Ordered to lie on the Table.

The Houſe then, agreeable to the Order of the Day, reſolved itſelf into a Committee of the Whole, in order to reſume the Conſideration of the Draught of the Declaration of Rights; after ſome Time ſpent in conſidering and deliberating thereon, the Preſident reſumed the Chair, and Colonel *Kirkbride* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but had not compleated the ſame, and deſired Leave of the Houſe to ſit again in the Afternoon.

Adjourned to Three o'Clock, *P. M.*

Thurſday, Auguſt 15, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

A Petition was read from *Andrew Hagenbuck* and *William Stumpff*, in Behalf of themſelves and others, Inhabitants of the Townſhip of *Albany*, in the County of *Berks*, praying that the ſaid Inhabitants, being in a Frontier Country, and apprehenſive of an *Indian* War, may be excuſed from marching into *Jerſey*. *Ordered to lie on the Table.*

According to the Order of the Day, the Convention reſolved itſelf into a Committee of the whole Houſe; Colonel *Kirkbride* was called to, and aſſumed the Chair, after ſome further Deliberation on the Declaration of Rights, the Preſident reſumed the Chair, and Colonel *Kirkbride*, from the Committee, reported that they had agreed to the Report, which he then delivered into the Houſe, and being read, the further Conſideration thereof was poſtponed.

A Petition from a Number of the Inhabitants of *Cheſter* County, praying that Colonel *Lloyd's* Battalion may remain at Home, which Petition had been preſented to the Council of Safety, and is by them referred to this Houſe, was read and *Ordered to lie on the Table.*

Upon

Upon Motion, *Reſolved*,

That Colonel *Potter* be Vice-Preſident *pro Tempore*, of this Convention.

Colonel *Kirkbride* moved, that he might have Leave to join his Battalion at *Amboy*; and the Queſtion being put, it was *Carried in the Negative.*

Adjourned to Ten o'Clock To-morrow Morning.

Friday, Auguſt 16, 1776.

The Convention met, purſuant to Adjournment.

Colonel *Kirkbride* again moved for Leave of Abſence, in order to viſit his Battalion at *Amboy*, till *Monday*, the 26th Inſtant; and it was thereupon

Reſolved,

That he have the Leave deſired, but that this Houſe expects his Attendance at the Time appointed.

A Letter was read from Colonel *Dickinſon* at the Camp, complaining of the Deſertion of ſome of the Aſſociators, and praying that this Convention would provide ſome Remedy in that Caſe; whereupon the Houſe agreed to the following Reſolutions, *viz.*

WHEREAS this Convention hath received Information, that ſeveral Aſſociators of this State have deſerted the Camp in the Face of the Enemy, and returned Home before the Formation of the Flying Camp, and without the Leave of their Commanding Officers, to the great Danger of the Public, and evil Exemple to others: It is therefore

Reſolved 1ſt,

That all ſuch Aſſociators as ſhall join their reſpective Corps, at the Camp from whence they came, in Eight Days from this Date, with ſuch Arms and Accoutrements as they may have brought away with them, ſhall be exempted from any Puniſhment; and thoſe who neglect ſo to do, ſhall be apprehended and ſent under a Guard to the Camp, there to be tried; and in Caſe of abſconding, or concealing their Arms, that they be advertiſed in the public News-Papers, and the Reward of *Three Pounds* offered for apprehending every ſuch Perſon; and every Aſſociator who ſhall hereafter deſert his Colours, ſhall be treated as thoſe who have already deſerted, and neglect to join their reſpective Corps, agreeable to this Reſolve.

Reſolved 2d,

That the Commanding Officers of the Companies or Battalions of the Militia of this State, who are now on their March to *New-Jerſey*, do apprehend all Deſerters they may meet on the Road, and convey them under a Guard to the Camp.

Reſolved 3d,

That, notwithſtanding the foregoing Reſolutions, it is not the Intention of this Convention to detain the Militia unneceſſarily from Home: The Aſſociators are therefore aſſured, that as ſoon as the Flying Camp is formed, and the public Safety will admit, they ſhall be permitted to return Home.

On Motion,

The Petition from *Cheſter* County was read again, and rejected.

The Houſe then reſumed the Conſideration of the Report of the Committee, reſpecting the Declaration of Rights, which being read by Paragraphs, received the final Aſſent of this Convention, and is as follows, *viz.*

A DECLARATION of the *RIGHTS* of the Inhabitants of the STATE of *Pennſylvania.*

1ſt, THAT all Men are born equally free and independent, and have certain natural, inherent and unalienable Rights, amongſt which are the enjoying and defending Life and Liberty, acquiring, poſſeſſing and protecting Property, and purſuing and obtaining Happineſs and Safety.

2d, That all Men have a natural and unalienable Right to worſhip Almighty GOD according to the Dictates of their own Conſciences and Underſtanding: And that no Man ought or of Right can be compelled to attend any religious Worſhip, or erect or ſupport any Place of Worſhip, or maintain any Miniſtry, contrary to, or againſt, his own free Will and Conſent: Nor can any Man, who acknowledges the Being of a GOD, be juſtly deprived or abridged of any Civil Right as a Citizen, on account of his religious Sentiments, or peculiar Mode of religious Worſhip: And that no Authority can or ought to be veſted in, or aſſumed by, any Power whatever, that ſhall in any Caſe interfere with, or in any Manner controul, the Right of Conſcience, in the free Exerciſe of religious Worſhip.

3d, That the People of this State have the ſole excluſive and inherent Right of governing and regulating the Internal Police of the ſame.

4th,

4th, That all Power being originally inherent in, and conſequently derived from, the People; therefore all Officers of Government, whether legiſlative or executive, are their Truſtees and Servants, and at all Times accountable to them.

5th, That Government is, or ought to be, inſtituted for the common Benefit, Protection and Security of the People, Nation or Community; and not for the particular Emolument or Advantage of any ſingle Man, Family or Sett of Men who are a Part only of that Community: And that the Community hath an indubitable, unalienable and indefeaſible Right to reform, alter or aboliſh Government in ſuch Manner as ſhall be by that Community judged moſt conducive to the public Weal.

6th, That thoſe who are employed in the legiſlative and executive Buſineſs of the State, may be reſtrained from Oppreſſion, the People have a Right, at ſuch Periods as they may think proper, to reduce their public Officers to a private Station, and ſupply the Vacancies by certain and regular Elections.

7th, That all Elections ought to be free; and that all Free Men having a ſufficient evident common Intereſt with, and Attachment to the Community, have a Right to elect Officers, or be elected into Office.

8th, That every Member of Society hath a Right to be protected in the Enjoyment of Life, Liberty and Property, and therefore is bound to contribute his Proportion towards the Expence of that Protection, and yield his perſonal Service, when neceſſary, or an Equivalent thereto: But no Part of a Man's Property can be juſtly taken from him, or applied to public Uſes, without his own Conſent, or that of his legal Repreſentatives: Nor can any Man who is conſcientiouſly ſcrupulous of bearing Arms, be juſtly compelled thereto, if he will pay ſuch Equivalent: Nor are the People bound by any Laws, but ſuch as they have in like Manner aſſented to, for their common Good.

9th, That in all Proſecutions for criminal Offences, a Man hath a Right to be heard by himſelf, and his Council, to demand the Cauſe and Nature of his Accuſation, to be confronted with the Witneſſes, to call for Evidence in his Favour, and a ſpeedy public Trial, by an impartial Jury of the Country, without the unanimous Conſent of which Jury he cannot be found guilty: Nor can he be compelled to give Evidence againſt himſelf: Nor can any Man be juſtly deprived of his Liberty, except by the Laws of the Land, or the Judgment of his Peers.

10th, That the People have a Right to hold themſelves, their Houſes, Papers and Poſſeſſions free from Search or Seizure; and therefore, Warrants without Oaths or Affirmations firſt made, affording a ſufficient Foundation for them, and whereby any Officer or Meſſenger may be commanded or required to ſearch ſuſpected Places, or to ſeize any Perſon or Perſons, his or their Property, not particularly deſcribed, are contrary to that Right, and ought not to be granted.

11th, That in Controverſies reſpecting Property, and in Suits between Man and Man, the Parties have a Right to Trial by Jury, which ought to be held ſacred.

12th, That the People have a Right to Freedom of Speech, and of Writing, and Publiſhing their Sentiments; therefore the Freedom of the Preſs ought not to be reſtrained.

13th, That the People have a Right to bear Arms for the Defence of themſelves and the State; and as ſtanding Armies, in the Time of Peace, are dangerous to Liberty, they ought not to be kept up: And that the Military ſhould be kept under ſtrict Subordination to, and governed by, the civil Power.

14th, That a frequent Recurrence to fundamental Principles, and a firm Adherence to Juſtice, Moderation, Temperance, Induſtry and Frugality, are abſolutely neceſſary to preſerve the Bleſſings of Liberty, and keep a Government free: The People ought therefore to pay particular Attention to theſe Points in the Choice of Officers and Repreſentatives, and have a Right to exact a due and conſtant Regard to them, from their Legiſlatures and Magiſtrates in the making and executing ſuch Laws as are neceſſary for the good Government of the State.

15th, That all Men have a natural inherent Right to emigrate from one State to another that will receive them, or to form a new State in vacant Countries, or in ſuch Countries as they can purchaſe, whenever they think that thereby they may promote their own Happineſs.

16th, That the People have a Right to aſſemble together, to conſult for their common Good, to inſtruct their Repreſentatives, and to apply to the Legiſlature for Redreſs of Grievances, by Addreſs, Petition or Remonſtrance.

Adjourned to Ten o'Clock To-morrow Morning.

Saturday,

Saturday, Auguſt 17, 1776.

The Convention met, purſuant to Adjournment.

The Petition of *James M'Connaughy* was read, and referred to the Council of Safety.

On Motion, *Ordered*,

That the Petition of the Inhabitants of *Albany* Townſhip, in the County of *Berks*, be rejected.

On Motion, *Ordered*,

That all Officers of the Militia of this State, who are Members of this Covention, and all other Members who are now abſent without Leave of this Houſe, or whoſe Times of Leave of Abſence are expired, or who have an indefinite Leave of Abſence, do immediately and without Delay, attend their Duty in this Houſe: And that Colonel *Bull* be deſired to ſignify this Reſolution to ſuch of them, as he ſhall meet with, in his intended Journey to the Camp.

Ordered, on Motion,

That Colonel *Bull* have Leave of Abſence, in order to viſit his Battalion at *Amboy*, till *Monday*, the 26th Inſtant.

Ordered, on Motion,

That the Attention of this Houſe be wholly confined, for the next enſuing Week, to the Conſideration of the Frame of Government, the Ordinance for making equal the Burthens of Aſſociators and Non-Aſſociators, and the Ordinance for appointing *Conſervators of the Peace*; unleſs ſuch Emergency ſhould ariſe, as in the Opinion of this Houſe, ſhould ſuperſede theſe Matters.

Moved and *Reſolved*,

That the Fines to be incurred by the Members of this Houſe for Non-attendance, or Abſenting from the Houſe, without Leave, ſhall be punctually collected by the Gentlemen appointed, unleſs they ſhall give an Excuſe ſatisfactory to this Houſe; and that Meſſengers ſhall be, from Time to Time, ſent by Order of this Houſe, to compel the Attendance of ſuch Members as ſhall, or do, abſent themſelves without Leave; the Expence of ſuch Meſſengers to be paid by the Delinquents.

Adjourned to Eight o'Clock on *Monday* Morning.

PHILADELPHIA: Printed and Sold by HENRY MILLER, in *Race-Street*.

MINUTES

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

From MONDAY, *Auguſt* 19, to SATURDAY, *Auguſt* 24, 1776.

Monday, Auguſt 19, 1776.

THE Convention met, purſuant to Adjournment.

On Motion, *Ordered*,

That this Houſe will on *Monday* next, the 26th Inſtant, proceed to the Election of Members of the Council of Safety, in the Room of thoſe who have neglected or refuſed to attend that Board.

A Letter from General *Roberdeau*, dated *Amboy*, *Auguſt* 14th and 16th, was read, and *Ordered to lie on the Table.*

At the ſame Time was read an Addreſs made by the General, to the Aſſociators under his Command, which being highly approved of by this Houſe, was ordered to be printed in the *Engliſh* and *German* News-Papers of this City.

The Committee appointed to eſſay a Frame or Plan for the future Government of this State, brought in a Draught for that Purpoſe, which being read, was ordered for Conſideration on *Wedneſday* next, the 21ſt Inſtant.

The Ordinance for making equal the Burthens of Aſſociators and Non-Aſſociators, being read a ſecond time, and about to be read, and debated by Paragraphs; it was, on Motion,

Reſolved,

That the ſaid Ordinance be re-committed to Mr. *Cannon*, Mr. *Rittenhouſe* and Col. *M'Pherſon*.

On Motion, *Ordered*,

That Mr. *Hubley* and Mr. *Jacobs* be added to the Committee appointed to draw up an Ordinance for creating *Conſervators of the Peace*.

The Report of the Committee for enquiring into the Petitions of the Captains of the Gallies, was read, and thereupon it was

Reſolved,

That the ſaid Petitions, Report and all Things relative thereto, be referred to the Determination of the Council of Safety; and that the moſt full and perfect Submiſſion be given by all concerned, to their Deciſion.

Reſolved,

That the Officers in the Naval and Land Service of this State, ought not in all Caſes to riſe in Command according to Seniority; although a proper Regard ſhould be had to that Circumſtance in Promotions where there are equal Merit and equal military Abilities, of which the Council of Safety is to judge: And that the ſaid Council have full Authority to uſe their beſt Diſcretion herein, ſo as moſt effectually to promote the Service: And all Officers and others concerned, are hereby ſtrictly required and enjoined to yield and pay full and implicit Obedience to all their Appointments, Regulations and Orders, at their Peril.

Adjourned to Eight o'Clock To-morrow Morning.

Tueſday, Auguſt 20, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Committee to whom the Ordinance for making the Burthens of Aſſociators and Non-Aſſociators equal was re-committed, brought in a new Ordinance for that Purpoſe, which being read, the Convention reſolved itſelf into a Committee of the whole Houſe, in order for the greater Freedom of Debate thereon,—Mr. *David Rittenhouſe* was called to, and aſſumed the Chair; after ſome conſiderable Time, the Vice-Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome Progreſs in the Buſineſs committed to them, and prayed Leave of the Houſe to ſit again in the Afternon: Whereupon it was ordered, that the Committee have the Leave deſired.

Adjourned to Three o'Clock, *P. M.*

Tueſday, Auguſt 20, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

On Motion, *Reſolved*,

That the Delegates in Congreſs for this State, do apply to the Honourable the Continental Congreſs, for the Loan of *One Hundred Thouſand Dollars*, to be put into the Hands of the Council of Safety, for the Uſe of this State.

The Convention reſolved itſelf into a Committee of the whole Houſe, in order to conſider further of the Ordinance read in the Morning, Mr. *Rittenhouſe* was called to, and aſſumed the Chair; after a conſiderable Time ſpent in Debate, the Vice-Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, and deſired Leave of the Houſe to ſit again on ſome future Day, which was given accordingly.

Adjourned to Eight o'Clock To-morrow Morning.

Wedneſday, Auguſt 21, 1776.

The Convention met, purſuant to Adjournment.

On Motion, *Reſolved*,

That the Secretary ſend Meſſengers expreſs, for Mr. *Wilkinſon* and Mr. *Slaymaker*, agreeable to the Reſolve of this Houſe, of the 17th Inſtant, to require their immediate Attendance in Convention.

On Motion, *Reſolved*,

That Captain *Richard Peters* be directed forthwith to appoint proper Guards over the Stores of *Joſeph* and *Stephen Sewell*, under the Direction of the Committee of Inſpection of the City and Liberties of *Philadelphia*, to prevent the Removal of the Salt ſtored therein.

The Convention, according to the Order of the Day, reſolved itſelf into a Committee of the whole Houſe, in order to take into Conſideration the Frame of Government,—Mr. *Rittenhouſe* was called to, and aſſumed the Chair; after a very conſiderable Time employed in debating and deliberating, the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome Progreſs in the Buſineſs committed to them, and deſired Leave of the Houſe to ſit again To-morrow Morning; which was given accordingly.

Mr. *Crazart* had Leave of Abſence, to viſit his ſick Family.

Adjourned to Eight o'Clock To-morrow Morning.

Thurſday, Auguſt 22, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

Agreeable to the Order of the Day, the Convention reſolved itſelf into a Committee of the whole Houſe,—Mr. *Rittenhouſe* was called to, and aſſumed the Chair; after ſome Time ſpent in deliberating on the Frame of Government, the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs, in the Buſineſs committed to them, but had not compleated it, he therefore deſired Leave of the Houſe to ſit again in the Afternoon, which was granted.

Adjourned to Three o'Clock in the Afternoon.

Thurſday, Auguſt 22, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Committee for bringing in an Ordinance for appointing *Conſervators of the Peace*, reported a Draught for that Purpoſe, which being read the firſt time, was ordered to lie on the Table for a ſecond Reading.

Agreeable to the Order of the Day, the Convention reſolved itſelf into a Committee of the whole Houſe,—Mr. *Rittenhouſe* was called to, and aſſumed the Chair; after ſome Time ſpent in deliberating on the Frame of Government, the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but had not compleated it, he therefore deſired Leave of the Houſe to ſit again To-morrow, which was granted.

Ordered, on Motion,

That Colonel *Hill* have Leave of Abſence, to viſit his Battalion, in *Jerſey*.

Adjourned to Nine o'Clock To-morrow Morning.

Friday, Auguſt 23, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Petition from *John Smyth* and *Benjamin Lewis*, two languiſhing Priſoners in the Gaol of *Philadelphia*, praying Relief from their Confinement, was read, and thereupon it was

Ordered,

Ordered,

That Mr. *Cannon* and Colonel *William Cook* be appointed to enquire into the Petitioners Caſe, and report thereon to this Houſe.

Agreeable to Order, the Convention reſolved itſelf into a Committee of the whole Houſe,—Mr. *Rittenbouſe* was called to, and aſſumed the Chair; after ſome Time ſpent in deliberating on the Frame of Government, the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but had not compleated it; he therefore deſired Leave of the Houſe, to ſit again in the Afternoon, which was granted.

Adjourned to Four o'Clock, *P. M.*

Friday, Auguſt 23, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

According to the Order of the Day, the Convention reſolved itſelf into a Committee of the whole Houſe,—Mr. *Rittenbouſe* was called to, and aſſumed the Chair; after ſome Time ſpent in deliberating on the Frame of Government, the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but had not compleated it, he therefore deſired Leave of the Houſe to ſit again, which was granted.

Mr. *Thomas Jones* had Leave of Abſence for three Days.

Adjourned to Eight o'Clock To-morrow Morning.

Saturday, Auguſt 24, 1776.

The Convention met, purſuant to Adjournment.

Upon Application made by the Committee of Inſpection and Obſervation for the City and Liberties of *Philadelphia*, the Houſe came to the following Reſolution, *viz.*

WHEREAS it appears to this Convention, upon due Enquiry and Information of the Circumſtances, that the Salt now in this City, has been imported at low Prices, and under moderate Inſurance: AND WHEREAS, divers Perſons, in Contempt of the juſt and wholeſome Regulations of the Committee, *&c.* of *Philadelphia*, under Directions of Congreſs, have continued to diſpoſe of their Salt at moſt exhorbitant Prices, to the great Grievance and Diſtreſs of their Fellow-ſubjects of this State: It is therefore RESOLVED, That the ſaid Regulations be hereby confirmed, and all Perſons whatever are hereby ſtrictly enjoined to pay due Obedience thereto: AND the ſaid Committee are authorized and directed to ſeize and take into their Poſſeſſion the Salt belonging to ſuch Perſons as have refuſed or ſhall refuſe Conformity to the Regulations ſo eſtabliſhed, or ſhall altogether with-hold or refuſe to ſell their Salt during the Continuance of ſuch Regulations, allowing to the ſaid Perſons, upon the Sale thereof, the fixed and ſettled Prices, firſt deducting the Expences incurred upon the Sale.

AND WHEREAS, it is but reaſonable that every Part of this extenſive State ſhould be accommodated, as nearly as may be, with their Proportion of this Article ſo juſtly eſteemed a Neceſſary of Life, BE IT RESOLVED, That the Committee of *Philadelphia*, are hereby further directed to diſtribute the Salt, that may as aforeſaid, come into their Poſſeſſion, in equal Quantities in the ſeveral Counties, having Regard to the reſpective Numbers of Inhabitants contained in the ſaid Counties.

The Gentlemen appointed to examine into the Caſes of *John Smyth* and *Benjamin Lewis*, report that they are proper Objects of the Relief and Commiſeration of this Houſe, and that they are Gunlock-Makers, and willing to engage to work in the Factory in this City: It is thereupon

Reſolved,

That the Sheriff or Gaoler of the City and County of *Philadelphia*, do releaſe and diſcharge the ſaid *John Smyth* and *Benjamin Lewis*, out of their or either of their Cuſtody, upon their ſigning a written Agreement, by which they and each of them, engage to work at the Gunlock Factory, in this City.

Adjourned to Eight o'Clock on *Monday* Morning.

PHILADELPHIA: Printed and Sold by HENRY MILLER, in *Race-Street.*

MINUTES

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

From MONDAY, *Auguſt* 26, to SATURDAY, *Auguſt* 31, 1776.

Monday, Auguſt 26, 1776, *A. M.*

THE Convention met, purſuant to Adjournment.

Colonel *Clarke* repreſenting to the Houſe, that his Indiſpoſition was ſo great, that he could not continue to do his Duty in this Houſe without a Receſs of ſome Time for his Refreſhment, obtained Leave of Abſence for a few Days.

Upon Application of Colonels *Galbreath* and *Lowrey*, for Leave of Abſence to viſit their Battalion at *Amboy*, it was

Reſolved,

That both have not the Leave required; but that one of them may be permitted to go.

On Motion, *Ordered*,

That a Letter be written to General *Mercer*, requeſting him to grant Leave of Abſence to ſuch Gentlemen who are Members of this Convention, and now in *New-Jerſey* under his Command, in order that they may attend their Duty in this Houſe, provided ſuch Leave be compatible with the public Safety.

Upon Motion, *Reſolved*,

That, as ſoon as Colonel *Roſs's* Battalion of the Militia of *Lancaſter* County ſhall return into the ſaid County, Colonel *Slough* be ordered to march his Battalion, immediately on their Arrival, to the Camp in *New-Jerſey*: And that the Secretary tranſmit a Copy of this Reſolve to Colonel *Slough*.

The Convention reſolved itſelf into a Committee of the whole Houſe, in order to conſider of the Ordinance reſpecting the Aſſociators and Non-Aſſociators: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome Progreſs in the Buſineſs referred to them, but not having compleated the ſame, deſired Leave of the Houſe to ſit again in the Afternoon; which was granted.

Adjourned to Four o'Clock, *P. M.*

Monday, Auguſt 26, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

Letters from General *Roberdeau* and Colonel *Bull*, from *Amboy*, requeſting that Colonel *Bull* might have Leave to ſtay in the Camp, his Preſence being particularly neceſſary there, were read, and it was thereupon *Ordered*, that Colonel *Bull* have Leave to ſtay ſome Time longer.

A Letter from Colonel *Matlack*, at *Amboy*, reſpecting the Flying Camp, was read, and *Ordered to lie on the Table.*

Some Reſolves of Congreſs of the 23d of *Auguſt* Inſtant, deſiring this Convention to recommend ſuitable Perſons for Lieutenant-Colonel and Major, and to appoint the Captains and Subalterns for the ſix Companies to be raiſed for the Counties of *Northampton* and *Cumberland*, were read, and *Ordered to lie on the Table for further Conſideration.*

The Convention then, agreeable to the Order of the Day, reſolved itſelf into a Committee of the whole Houſe, in order to conſider of the Ordinance reſpecting Aſſociators and Non-Aſſociators: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs referred to them, but not having compleated the ſame, deſired Leave of the Houſe to ſit again on ſome future Day; which was granted.

The Vice-Preſident informed the Convention, that the Honourable Congreſs had agreed to lend to this State the 100,000 Dollars mentioned in the Minute of the 20th of *Auguſt* Inſtant, and that he had obtained an Order on *Michael Hillegas*, Eſq; the Continental Treaſurer, for that Sum.

Whereupon it was *Reſolved*,

That the Preſident draw an Order for *Thirty Thouſand Dollars*, Part thereof, in favour of Colonel *Kirkbride* and Colonel *M'Pherſon*, who are to deliver the ſame to Colonel *Clarke*, now on his Journey to the Camp in *New-Jerſey*, who is to deliver over the ſame to Colonel *Matlack* and Colonel *Slagle*, two of the Commiſſioners appointed to form the Flying Camp.

The ſaid Order was accordingly drawn and ſigned by the Preſident, and delivered to Colonel *Kirkbride* and Colonel *M'Pherſon*.

Adjourned to Nine o'Clock To-morrow Morning.

Tueſday, Auguſt 27, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Petition from ſeveral of the Inhabitants of *Tulpehocken*, in *Berks* County, praying that ſome of the Aſſociators, in that Part of the Country, may remain to protect them againſt the *Indians* and Banditti, was read and referred to the Council of Safety.

A Letter from General *Mercer*, to the Preſident of the Congreſs, was read and referred to the Council of Safety.

The Houſe reſumed the Conſideration of the Bill for the Appointment of Conſervators of the Peace, *&c.* and after ſome Time, it was ordered to be re-committed to the ſame Committee, with the Addition of Colonel *Roſs* and Mr. *Clymer*.

Mr. *Clymer* informed the Houſe, that the Artillery Companies of this City, at *Amboy*, were deſirous of being put on the ſame Footing with the other Militia, with reſpect to their being relieved, after having ſerved the uſual Time.

Ordered,

That the Requeſt be referred to the Council of Safety.

Adjourned to Three o'Clock, *P. M.*

Tueſday, Auguſt 27, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Bill for appointing Conſervators of the Peace, and the ſame being read and debated by Paragraphs, was ordered to be tranſcribed for a third Reading.

Colonels *Kirkbride* and *M'Pherſon* reported that they had received the 30,000 Dollars of Mr. *Hillegas*, and paid them to Colonel *Clarke*, agreeable to the Directions of Yeſterday.

Adjourned to Nine o'Clock To-morrow Morning.

Wedneſday, Auguſt 28, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

Major *William Coats*, one of the Members for *Philadelphia* County, appeared in the Houſe for the firſt time, took the Oath, and made and ſubſcribed the Profeſſion of Faith required.

The Houſe reſumed the Conſideration of the Salt belonging to *Joſhua Fiſher* and Sons, and thereupon came to the following Reſolve, *viz.*

WHEREAS a Quantity of Salt, belonging to *Joſhua Fiſher* and Sons, imported contrary to the Non-Importation Agreement, remains ſtored under the Care of the Committee of Inſpection of the City and Liberties of *Philadelphia*, and the ſame being an Article of general Uſe, and the preſent Neceſſity thereof very urgent: Therefore

Reſolved,

That the ſaid Committee diſpoſe of the ſaid Salt among the Inhabitants of the City of *Philadelphia*, and the ſeveral Counties of this State, in Proportion to the reputed Numbers in each, allowing to the Owners a reaſonable Compenſation for the ſame.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, Auguſt 28, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

The Convention reſolved itſelf into a Committee of the whole Houſe, in order to take into Conſideration the Ordinance reſpecting Aſſociators and Non-Aſſociators: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Vice-Preſident reſumed the Chair, when the Chairman reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but not having quite finiſhed the ſame, deſired Leave to ſit again on ſome future Day; which was granted.

The Ordinance reſpecting Treaſon and Miſpriſion of Treaſon was read again, and ordered to be printed before it be finally paſſed.

Adjourned to Nine o'Clock To-morrow Morning.

Thurſday, Auguſt 29, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

It was moved by a Member for *Northampton* County, that as the Militia of that County was ordered not to march into *Jerſey*, that therefore their ſecond Quota for the Flying Camp, muſt be

be made up at Home; and that it was neceſſary that the Bounty-Money ſhould be ſent up thither. Whereupon it was

Reſolved,

That the Preſident draw an Order on *Michael Hillegas*, Eſq; for the Sum of £ 834 to be paid to Mr. *Neigle Gray* and Major *Jacob Arndt*, to be by them tranſmitted to *Northampton* County, in order to pay the Bounty for the ſecond Quota for the Flying Camp for that County; which Order was drawn accordingly and ſigned at the Table.

The Houſe then reſolved itſelf into a Committee of the Whole, to conſider of the Draught of the Frame of Government: Mr. *Rittenbouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made ſome Progreſs therein, but not having compleated the ſame, deſired Leave to ſit again in the Afternoon; which was granted.

Adjourned to Three o'Clock this Afternoon.

Thurſday, Auguſt 29, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe, agreeable to the Order of the Day, reſolved itſelf into a Committee of the Whole, to conſider of the Draught of the Frame of Government: Mr. *Rittenbouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made ſome farther Progreſs therein, but not having compleated the ſame, deſired Leave to ſit again To-morrow; which was granted.

Adjourned to Nine o'Clock To-morrow Morning.

Friday, Auguſt 30, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Convention, agreeable to the Order of the Day, reſolved itſelf into a Committee of the whole Houſe, to conſider of the Draught of the Frame of Government: Mr. *Rittenbouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made further Progreſs therein, but not having compleated the ſame, deſired Leave to ſit again in the Afternoon; which was granted.

Adjourned to Four o'Clock, *P. M.*

Friday, Auguſt 30, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Convention, agreeable to the Order of the Day, reſolved itſelf into a Committee of the whole Houſe, to conſider of the Draught of the Frame of Government: Mr. *Rittenbouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made further Progreſs in the Buſineſs referred to them, but not having compleated the ſame, deſired Leave of the Houſe to ſit again To-morrow; which was granted.

Adjourned to Nine o'Clock To-morrow Morning.

Saturday, Auguſt 31, 1776.

The Convention met, purſuant to Adjournment.

A Petition from *Peter Withington*, praying to be appointed a Captain of one of the Companies to be raiſed in *Northampton* and *Northumberland*, was read, and *Ordered to lie on the Table.*

A Memorial of *Stephen* and *Joſeph Shewell*, juſtifying their Conduct with reſpect to their Salt, was read, and *Ordered to lie on the Table.*

The Convention then reſolved itſelf into a Committee of the whole Houſe, in order to take into Conſideration the Frame of Government: Mr. *Rittenbouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenbouſe* reported from the Committee, that they had made ſome Progreſs therein, but not having compleated it, deſired Leave to ſit again; which was granted.

Colonel *Kirkbride* requeſted Leave of Abſence to join his Battalion at *Amboy*. Whereupon it was

Ordered,

That he have not the Leave of this Houſe.

Adjourned to Nine o'Clock on *Monday* Morning.

PHILADELPHIA: Printed and Sold by [illegible]ILLER, in *Race-Street.*

MINUTES

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

From MONDAY, *September* 2, to SATURDAY, *September* 7, 1776.

Monday, September 2, 1776, *A. M.*

A Number of the Members met, but there not appearing a Quorum, Adjourned to Three o'Clock in the Afternoon.

Monday, September 2, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

A Memorial from the Committee of Inſpection of *Cumberland* County, ſetting forth the Advices they had received from the Frontier Inhabitants, reſpecting their Apprehenſions of an *Indian* War, and praying that ſome of their Militia might be permitted to remain at home for their Protection, was read, and *Ordered to be referred to the Council of Safety.*

A Petition from *John Timmons*, a Priſoner confined in *Carliſle* Jail, on Sufpicion of Murder, aſſerting his Innocence and praying to be admitted to Bail, was read, and *Ordered to lie on the Table.*

On Motion, *Ordered*,

That Col. *Roſs* and Col. *Thomas Smith* be a Committee to bring in an Ordinance, impowering the Juſtices of Peace in this State, in certain Caſes, to compel Debtors to give Security to their Creditors.

Adjourned to Nine o'Clock To-morrow Morning.

Tueſday, September 3, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

Mr. *Hubley* moved for Leave of Abſence, but perceiving the Houſe not inclined to grant his Requeſt, withdrew it: But nevertheleſs deſired, that it might be entered on the Minutes.

A Member informing the Houſe, that Col. *M'Pherſon* had received an Account of the Loſs of a Son in the late Battle on *Long-Iſland*, and that he deſired Leave to viſit his afflicted Family on that melancholy Occaſion; it was thereupon

Ordered,

That Col. *M'Pherſon* have Leave of Abſence.

The Houſe then proceeded to the third Reading of the Ordinance for appointing Juſtices of the Peace in this State, which being compared at the Table, was paſſed into an Ordinance, and ordered to be ſigned by the Preſident; the ſaid Ordinance follows in theſe Words,

An ORDINANCE for the APPOINTMENT of JUSTICES of the PEACE for the *STATE* of *PENNSYLVANIA*.

WHEREAS it is neceſſary that proper Officers of Juſtice be appointed under the Authority of the People only, and deriving no Power whatever from the late Conſtitution; *Be it therefore Ordained and Declared, and it is hereby Ordained and Declared, by the Repreſentatives of the Freemen of the State of Pennſylvania in General Convention met*, THAT David Rittenhouſe, Jonathan B. Smith, Owen Biddle, James Cannon, Timothy Matlack, Samuel Morris the elder, Samuel Howell, Frederick Kuhl, Samuel Morris the younger, Thomas Wharton the younger, Henry Kepple the younger, Joſeph Blewer, Samuel Mifflin, George Gray, John Bull, Henry Wynkoop, Benjamin Bartholomew, John Hubley, Michael Swoope, William Lyon, Daniel Hunter, Peter Rhoads, David Eſpy, John Weitzal and John Moore, Eſquires, Members of the Council of Safety, are hereby made, conſtituted and appointed, Juſtices of the Peace for this State.

AND that Benjamin Franklin, John Dickinſon, George Bryan, James Young, James Biddle, John Morris the younger, Joſeph Parker, John Bayard, Sharp Delany, John Cadwallader, Joſeph Copperthwaite, Chriſtopher Marſhall the elder, Francis Gurney, Robert Knox, Matthew Clarkſon, William Coates, William Ball, Philip Boehm, Francis Caſper Haſenclever, Thomas Cuthbert the elder, Moſes Bartram, Jacob Schreiner, Joſeph Moulder, Jonathan Paſchal, Benjamin Paſchal, Benjamin Harbeſon, Jacob Bright, Henry Hill, Samuel Aſhmead,

Frederick Antis, Samuel Erwin, Alexander Edwards, Seth Quee, Samuel Potts, Rowland Evans, Charles Benſel and Peter Evans, of the City and County of Philadelphia, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the City and County of Philadelphia.

And that Joſeph Hart, Richard Walker, Joſeph Kirkbride, John Wilkinſon, John Kidd, Robert Patterſon, John Clark, James Benezet, Samuel Smith, James M'Mullen, Theophilus Foulke, Joſhua Anderſon, George Wickart and Thomas Long, of the County of Bucks, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Bucks.

And that Alexander Johnſton, William Clingen, Evan Evans, Richard Baker, John Sellars, Nicholas Fairlamb, John Jones, John Wilſon, William Heſlet, Iſrael Whalin, William Deney, Samuel Bond and Robert Mendenhall, of the County of Cheſter, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Cheſter.

And that Emanuel Carpenter, Edward Shippen, William Henry, Michael Hubly, William Bauſman, Ludwig Lauman, James Bird, James Work, Timothy Green, John Thome, Moſes Irwin, John Ferrie, Zaccheus Davis, David Jenkins, John Whitehill, James Clemſon, William Brown, James Murray, Robert Thompſon, Robert Barber, Thomas Whiteſide, Michael Bright and Chriſtopher Wegman, of the County of Lancaſter, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Lancaſter.

And that Robert M'Pherſon, Martin Eichelberger, Samuel Edie, David M'Conaughy, Richard M'Caliſter, Henry Slagle, Matthew Dill, William Rankin, William Lees, William Bailey, William Scott, William Smith, William M'Caſkey, Joſias Scott, Thomas Latta, William M'Clean and John Mickle the younger, of the County of York, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of York.

And that John Armſtrong, John Byers, John Reynolds, Jonathan Hoge, Robert Miller, George Robinſon, John Holmes, James Olivar, John Agnew, John Aliſon, James Maxwell, Samuel Lyon, William Brown, James Dunlap, John M'Clay, William Elliot, Matthew Henderſon and Frederick Watt, of the County of Cumberland, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Cumberland.

And that James Read, Peter Spyker, Jacob Morgan, George Douglas, Mark Bird, Henry Chrieſt, Balzar Gear, John Patton, Thomas Dundas, Chriſtopher Witman, Richard Tea and Baſtian Levan, of the County of Berks, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Berks.

And that Robert Trail, Jacob Moory, Chriſtopher Wagener, Henry Kooken, John Weitzel, Peter Traxler ſenior, Nicholas Dupui, Evan Morgan, Robert Forgeman and Henry Barnet, of the County of Northampton, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Northampton.

And that Bernard Dougherty, William Proctor, George Wood, Abraham Cable, Thomas Smith, Thomas Coulter, Henry Lloyd, John Piper, Samuel Davidſon, William Latta, John Wilkins, William Todd, Benjamin Elliott, William Parker, Evan Shelby, David Jones, Henry Rhoads, William Johnſton, William M'Leavy, Gideon Ritchey, John Mellot, Edward Coomb, Hugh Davis, Matthew Patton, Robert Ramſey, Benjamin Bird, John Shaver, Samuel Thompſon, William Phillips, William Holliday the younger, Charles Ceſſna, John Mitchell and Richard Brown, of the County of Bedford, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Bedford.

And that Samuel Hunter, James Potter, William M'Clay, Robert Moodie, John Lowden, Benjamin Weiſer, John Fleming, Henry Antis and John Simpſon, of the County of Northumberland, Eſquires, are hereby made, conſtituted and appointed Juſtices of the Peace for the County of Northumberland.

And that Robert Hanna, William Lockray, Alexander M'Lean, Providence Mounts, Andrew M'Farlin, James Pollock, James Caval, Samuel Sloane, Thomas Scott, Michael Hufnagle, James Wilſon, David Allen, Benjamin Davis, Philip Rogers, Joſeph Caldwell, James Wilkins, William Elliot, George Latimore and Samuel Burns, of the County of Weſtmoreland, Eſquires, are hereby made, conſtituted and appointed, Juſtices of the Peace for the County of Weſtmoreland.

And be it further Ordained and Declared, That the ſaid Juſtices, and every of them, ſhall have full Power and Authority to take Acknowledgments of Deeds, and Cognizance of Criminal Offences and Breaches of the Peace. And in caſes of Petty Larceny, under Five Shillings, to proceed to Puniſhment.

And be it further Ordained and Declared, That the Laws which were in Uſe before the Diſſolution of the late Government, ſhall be the Rule of their Proceedings, ſo far as the ſame may not be inconſiſtent with the Oath or Affirmation, herein after directed to be taken and ſubſcribed, and that the Stile of their Precepts ſhall be in the Name of the State of *Pennſylvania*.

And be it further Ordained and Declared, That the ſaid Juſtices, and every of them before they reſpectively enter upon their Office, do take and ſubſcribe the following Oath or Affirmation.——

I DO ſwear or affirm, That I do not hold myſelf bound to bear Allegiance to George the Third, King of Great-Britain, and that I will ſteadily and firmly at all Times promote the moſt effectual Means, according

according to my Skill and Knowledge, to oppoſe the Tyrannical Proceedings of the King and Parliament of Great-Britain againſt the United American States, and to ſupport a Government in this State on the Authority of the People only: And that as a Juſtice of the Peace I will do every Thing in that Office to the beſt of my Knowledge and Abilities, conſiſtent with the Freedom and Independence of this State.

And be it further Ordained and Declared, That the Members of the Council of Safety above named, do make and ſubſcribe the ſaid Oath, or Affirmation before their Preſident for the Time being. And that the Juſtices appointed for the City and County of *Philadelphia* do take and ſubſcribe the ſame Oath or Affirmation before Benjamin Franklin, John Dickinſon, Samuel Morris, Samuel Aſhmead and Alexander Edwards, Eſquires, or one of them.—And that the Juſtices appointed for the County of *Bucks* do take and ſubſcribe the ſaid Oath or Affirmation before Joſeph Hart, Joſeph Kirkbride and John Kidd, Eſquires, or one of them.—And that the Juſtices appointed for the County of *Cheſter*, do take and ſubſcribe the ſaid Oath or Affirmation before Richard Baker and John Sellars, Eſquires, or one of them.—And that the Juſtices appointed for the County of *Lancaſter*, do take and ſubſcribe the ſaid Oath or Affirmation before William Henry, John Hubley, John Thome and Moſes Erwin, Eſquires, or one of them.—And that the Juſtices appointed for the County of *York*, do take and ſubſcribe the ſaid Oath or Affirmation before Martin Eichelberger, Samuel Edie and William Smith, Eſquires, or one of them.—And that the Juſtices appointed for the County of *Cumberland* do take and ſubſcribe the ſaid Oath or Affirmation before Jonathan Hoge, John Holmes, John Aliſon and Samuel Lyon, Eſquires, or one of them.

AND that the Juſtices appointed for the County of *Berks* do take and ſubſcribe the ſaid Oath or Affirmation before James Read, Peter Spyker and Jacob Morgan, Eſquires, or one of them.

AND that the Juſtices appointed for the County of *Northampton* do take and ſubſcribe the ſaid Oath or Affirmation before Robert Trail and Henry Kooken, Eſquires, or one of them.

AND that the Juſtices appointed for the County of *Bedford* do take and ſubſcribe the ſaid Oath or Affirmation before George Wood and David Eſpy, Eſquires, or one of them.

AND that the Juſtices appointed for the County of *Northumberland* do take and ſubſcribe the ſaid Oath or Affirmation before Samuel Hunter and James Potter, Eſquires, or one of them.

AND that the Juſtices appointed for the County of *Weſtmoreland* do take and ſubſcribe the ſaid Oath or Affirmation before Robert Hanna and Alexander M'Lean, Eſquires, or one of them.

And be it further Ordained and Declared, That the Juſtices of the reſpective Counties, ſhall have full Power and Authority from Time to Time, when they ſhall think it neceſſary to appoint Gaolors to take Care of the ſeveral Gaols and Priſons, and of the Priſoners committed to them.

And be it further Ordained and Declared, That all Coroners, Conſtables, Overſeers of the Poor and Superviſors of the High-Ways, who were lawfully in Office, at the Time of or immediately before the Diſſolution of the late Government of this State, ſhall continue to exerciſe the Powers and perform the Duties of their reſpective Offices until a new Appointment or future Proviſion be made in ſuch Caſe.

And be it further Ordained and Declared, That this Ordinance ſhall continue and remain in Force until altered or repealed by the future Legiſlature of this State, or by this Convention.

Paſſed in CONVENTION, *September* 3, 1776, *and ſigned by their Order*,

B. FRANKLIN, *Preſident.*

Atteſt. JOHN MORRIS, jun. *Secretary.*

The Houſe then reſolved itſelf into a Committee of the Whole, in order to take into Conſideration the Frame of Government: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but not having compleated the ſame, deſired Leave to ſit again in the Afternoon; which was granted.

Adjourned to Three o'Clock in the Afternoon.

Tueſday, September 3, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

The Convention then reſolved itſelf into a Committee of the whole Houſe, in order to take into Conſideration the Frame of Government: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs in the Buſineſs committed to them, but not having compleated it, deſired Leave to ſit again To-morrow; which was granted.

Adjourned to Nine o'Clock To-morrow Morning.

Wedneſday, September 4, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Memorial from Meſſrs. *Carnahan* and *Proctor*, two Colonels of the Militia of *Weſtmoreland* County, informing that their two Battalions wanted about 400 Stand of Arms, and alſo praying, that

that this Houſe would ſettle ſome Mode of calling out the Militia in caſe of Invaſion, was read, and

Ordered to lie on the Table.

A Petition from *Andrew Ledlie*, of *Eaſton*, in *Northampton* County, complaining of great ill Uſage from ſome of the Inhabitants of that Town, on account, as he apprehends, of his Attachment to the Cauſe of Liberty, was read, and ordered to be referred and recommended to the Juſtices of the Peace appointed for that County, to take immediate Notice of the Complaints of the ſaid Petitioner, and afford him all the Redreſs and Security which the Nature of his Caſe requires.

A Petition from *William Hardy*, praying to be appointed the Officer for this State to regiſter thoſe who ſhall be diſabled in the Service of the United States, agreeable to the Reſolve of Congreſs of the 26th of *Auguſt* laſt, was read, and referred to the future Legiſlature of this State.

Ordered,

That a Meſſenger be ſent to *Benjamin Bartholomew*, Eſq; an abſent Member of this Houſe, to compel his Attendance on his Duty in this Houſe.

It being repreſented, that, in the Ordinance for conſtituting Juſtices, there is no Direction before whom the Preſident of the Council of Safety ſhall be qualified as a Juſtice of the Peace for this State; thereupon it was

Ordered,

That he take and ſubſcribe the Oath or Affirmation required by ſaid Ordinance, before the Honourable the Preſident of this Convention.

The Houſe reſumed the Conſideration of the Ordinance reſpecting Treaſon and Miſpriſion of Treaſon, and ordered the ſame to be engroſſed for a third Reading.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, September 4, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſolved itſelf into a Committee of the Whole, to take into Conſideration the Frame of Government: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had made ſome further Progreſs therein, but not having compleated the ſame, deſired Leave of the Houſe to ſit again To-morrow; which was granted.

Adjourned to Nine o'Clock To-morrow Morning.

Thurſday, September 5, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

Major *Arndt* informing the Houſe that he had received an Account that his Son was wounded in the late Battle on *Long-Iſland*, and was now lying ill at *Bergen*, deſired Leave to viſit him; which was granted, on his Promiſe to return as ſoon as he conveniently could.

The Convention then reſolved itſelf into a Committee of the whole Houſe, in order to reſume the Conſideration of the Frame of Government: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had finiſhed the Buſineſs referred to them, and were ready to report thereon.

A Letter from Mr. *Hancock*, with ſome Reſolves of Congreſs of the Third Inſtant, requeſting that this State would immediately ſend forward to *New-York* all the Aid they can in the preſent dangerous and critical State of Affairs, was read, and

Ordered to lie on the Table for Conſideration.

Adjourned to Half paſt Three o'Clock in the Afternoon.

Thurſday, September 5, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

The Report of the Committee of the whole Houſe, on the Frame of Government, was now read; and thereupon it was

Ordered,

That the Preſident, Mr. *Rittenhouſe* and Mr. *Vanhorn* be deſired to reviſe the ſame, and make ſuch Alterations therein, in Method and Stile, without affecting the Senſe, as they may think proper; and, when that is done, to get Four Hundred Copies printed for public Conſideration.

The Houſe then proceeded to the third Reading of the Ordinance for Treaſon and Miſpriſion of Treaſon, which being compared at the Table, was paſſed into an Ordinance, and ordered to be ſigned by the Preſident: The ſaid Ordinance follows in theſe Words,

AN ORDINANCE of the STATE of PENNSYLVANIA, *declaring what ſhall be* TREASON, *and for Puniſhing the ſame, and other Crimes and Practices againſt the State.*

WHEREAS Government ought at all Times to take the moſt effectual Meaſures for the Safety and Security of the State, BE IT THEREFORE ORDAINED and DECLARED,

DECLARED, and it is hereby ORDAINED and DECLARED, by the Repreſentatives of the Freemen of the State of *Pennſylvania*, in General Convention met, That all and every Perſon and Perſons (except Priſoners of War) now inhabiting or reſiding within the Limits of the State of *Pennſylvania*, or that ſhall voluntarily come into the ſame hereafter, to inhabit or ſojourn, DO and ſhall owe and pay Allegiance to the State of *Pennſylvania*.

AND BE IT FURTHER ORDAINED, by the Authority aforeſaid, That all and every ſuch Perſon and Perſons, ſo owing Allegiance to the State of *Pennſylvania*, who, from and after the Publication hereof, ſhall levy War againſt this State, or be adherent to the King of *Great-Britain*, or others the Enemies of this State, or to the Enemies of the United States of *America*, by giving him or them Aid or Aſſiſtance within the Limits of this State, or elſewhere, and ſhall be thereof duly convicted in any Court of Oyer and Terminer hereafter to be erected, according to Law, ſhall be adjudged guilty of HIGH TREASON, and forfeit his Lands, Tenements, Goods and Chattels, to the Uſe of the State, and be impriſoned any Term not exceeding the Duration of the preſent War with *Great-Britain*, at the Diſcretion of the Judge or Judges.

AND BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That any Perſon or Perſons (except as before excepted) reſiding, inhabiting or ſojourning in this State, who ſhall hereafter know of ſuch Treaſon, and conceal the ſame, or that ſhall receive or aſſiſt ſuch Traitor, knowing him to be ſuch, and ſhall be thereof duly convicted, as aforeſaid, ſhall be adjudged guilty of Miſpriſion of Treaſon, and ſuffer the Forfeiture of One Third of his Goods and Chattels, Lands and Tenements, to the Uſe of the State, and be impriſoned any Term not exceeding the Duration of the preſent War with *Great-Britain*, at the Diſcretion of the Judge or Judges.

AND BE IT FURTHER ORDAINED and DECLARED, That in all Convictions for High Treaſon, the Judge or Judges, before whom the Trial is had, may, out of the Eſtate forfeited by Virtue of this Act, make ſuch Proviſion for the Wife or Children, if any, of the Criminal, as he or they, in his or their Diſcretion, may deem neceſſary.

AND BE IT FURTHER ORDAINED and DECLARED, That this Ordinance ſhall be in Force till the End of the firſt Seſſion of the firſt Aſſembly that ſhall meet under the New Conſtitution of this State, and no longer.

Paſſed in CONVENTION, September 5th, 1776, *and ſigned by their Order*,

B. FRANKLIN, *Preſident*.

Atteſt. JOHN MORRIS, jun. *Secretary*.

Adjourned to Nine o'Clock To-morrow Morning.

Friday, September 6, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Convention reſolved itſelf into a Committee of the whole Houſe, to conſider of the Ordinance reſpecting Aſſociators and Non-Aſſociators: Mr. *Rittenhouſe* was called to and aſſumed the Chair; after ſome Time the Vice-Preſident reſumed the Chair, and Mr. *Rittenhouſe* reported from the Committee, that they had eſſayed a Draught of an Ordinance reſpecting the Aſſociators and Non-Aſſociators; which being read, was

Ordered to lie on the Table for a ſecond Reading.

On Motion, *Ordered*,

That Major *Coats* and Mr. *Jacobs* be a Committee to enquire into the Number of Copies of the Laws of *Pennſylvania* that was printed by Order of the late Government; how many of them have been diſpoſed of, and in what Manner; and what Number of them remain in the Hands of the Printer, and make report to this Houſe.

The Houſe reſumed the Conſideration of the Reſolves of Congreſs of the 23d of *Auguſt*, reſpecting the Companies to be raiſed in the Counties of *Northampton* and *Northumberland*:

And upon Motion, it was *Ordered*,

That the Delegates in Congreſs for *Pennſylvania* repreſent to that Honourable Board the Difficulties which this Houſe apprehends will obſtruct the raiſing the Men, in the Manner propoſed by thoſe Reſolves.

An Ordinance, reſpecting adviſedly writing and ſpeaking againſt the *American* Cauſe, was read the firſt time, and *Ordered to lie on the Table for a ſecond Reading.*

Adjourned to Three o'Clock in the Afternoon.

Friday, September 6, 1776, *P. M.*

The Convention met, purſuant to Adjournment, and

Adjourned to Nine o'Clock To-morrow Morning.

Saturday, September 7, 1776.

The Houſe met, purſuant to Adjournment.

Application was made to this Convention, by the Captain of a Veſſel who arrived here this Morning with a Cargo of Salt, to know whether he was at Liberty to diſpoſe of it, without any Regard to the Regulations made reſpecting that Commodity:

Whereupon, after Debate, it was *Reſolved unanimouſly*,

That this Houſe will not, in any Manner, interfere with the ſaid Salt: But that the Owner has a Right to ſell or diſpoſe of it, at ſuch Rates and to ſuch Perſons, as he may think proper.

The Houſe then proceeded to the ſecond Reading of the Ordinance reſpecting Aſſociators and Non-Aſſociators, and after a conſiderable Time ſpent in debating thereon by Paragraphs,

Adjourned to Nine o'Clock on *Monday* Morning.

PHILADELPHIA: Printed and Sold by HENRY MILLER, in *Race-Street*.

Nath. Seidel.

MINUTES

OF THE

CONVENTION

For the STATE of *PENNSYLVANIA*,

From MONDAY, *September* 9, to SATURDAY, *September* 14, 1776.

Monday, September 9, 1776, *A. M.*

A Number of the Members met, but not being a Quorum,
Adjourned to Three o'Clock in the Afternoon.

Monday, September 9, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

After the Clauſe in the Ordinance, reſpecting Aſſociators and Non-Aſſociators, wherein it is ordained, that Non-Aſſociators ſhall pay at the Rate of 20*s.* per Month, was carried in the Affirmative, it was moved, that the Yeas and Nays might be taken on that Clauſe, and thereupon it was

Reſolved,

That the Yeas and Nays be not taken.

On Motion, *Ordered*,

That the Preſident, *pro Temp.* draw an Order on the Treaſurer for the Sum of *Twelve Pounds*, in Favour of *William Sheed*, Door-keeper to this Convention, for his Wages till this Time, being 48 Days, at 5*s. per Diem*.

The Houſe proceeded in the further Conſideration of the Bill reſpecting Aſſociators and Non-Aſſociators, and after ſome Time ſpent thereon,

Adjourned to Nine o'Clock To-morrow Morning.

Tueſday, September 10, 1776.

The Houſe met, purſuant to Adjournment.

A Letter dated the 5th Inſtant, at *Kingsbridge*, from Lieutenant-Colonel *Broadhead* of the *Pennſylvania* Forces, was read, giving a Relation of the Battle on *Long-Iſland*, and a particular Account of the Behaviour of the *Pennſylvanians* on that Occaſion; and of the Wants of the Soldiers, who had moſt of them loſt their Blankets, which they had thrown away in the Engagement. This Letter alſo contained the Returns of the three Regiments under his Command, and ſome Enquiries reſpecting the Rank, *&c.* of the Officers.

A Letter dated the 5th Inſtant, at *Amboy*, from Colonel *Slagle*, was read, complaining of his ill State of Health, and deſiring that another Commiſſioner may be appointed in his Stead.

A Letter of the 31ſt of *Auguſt*, from the *Indian* Commiſſioners at Fort *Pitt*, was read, communicating the Information they had received, reſpecting the Danger of an *Indian* War:—— Whereupon it was

Reſolved,

That Col. *Thomas Smith*, Col. *Potter* and Major *James Smith* be a Committee to confer with the Committee of Congreſs for *Indian* Affairs on that Subject, and on the moſt proper Mode of defending the Frontiers.

Reſolved,

That Col. *Matlack*, Mr. *Cannon*, Mr. *Rittenhouſe*, Mr. *Whitehill* and Mr. *Edward Cook* be a Committee to take into Conſideration all the military Affairs of this State, reſpecting the Flying Camp and the Operations of War to the Eaſtward; and that they make an Eſſay of ſuch temporary Regulations for the Militia, as may render it more effectual for the immediate public Defence.

Colonel *Matlack*, one of the Commiſſioners for forming the Flying Camp, being now returned, informed the Convention, among other Things, of the Difficulties that had occurred with reſpect to the two Companies of Artillery of the Militia of this State now at *Amboy*: And that, in order to relieve them as expeditiouſly as poſſible, (after they had cheerfully ſtaid conſiderably beyond the uſual Time) the Commiſſioners had agreed to advance a Month's Pay, in Addition to the Bounty, to ſuch as would inliſt in that Service: Whereupon the Houſe expreſſed their Approbation of their Conduct therein.

A Member informed the Houſe of ſome Inconveniences and Diſcouragements, which he had obſerved, ariſing from the ſmall Number of General Officers belonging to this State, and deſired that the Convention would take that Matter into Conſideration.

Adjourned to Nine o'Clock To-morrow Morning.

Wedneſday, September 11, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

Some Gentlemen of the Committee of Inſpection, for the City and Liberties of *Philadelphia*, waited on the Convention with an Application from that Board, ſetting forth, that they had continued acting, by the Direction of this Houſe, now above four Weeks beyond the Time for which they were originally choſen, and that they propoſed to diſſolve themſelves on *Tueſday* Evening next: But that, previous thereto, they ſubmitted to this Houſe, whether a new Committee ſhould be choſen, and if ſo, that then a new Line of Conduct ſhould be drawn for them.

The Houſe reſumed the Conſideration of the Ordinance reſpecting the Burthens of Aſſociators and Non-Aſſociators, and, after conſiderable Time ſpent therein, it was re-committed to Mr. *Cannon*, Mr. *Rittenhouſe*, Col. *James Smith* and Col. *Matlack*.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, September 11, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe proceeded to the ſecond Reading of an Ordinance reſpecting the adviſedly ſpeaking and writing againſt the *American* Cauſe, which being read, and debated by Paragraphs, was ordered to be engroſſed for a third Reading.

The Committee appointed to bring in an Ordinance reſpecting Debtors giving Security in certain Caſes, reported a Draught for that Purpoſe, which being read, was ordered to lie on the Table for a ſecond Reading.

The Houſe then proceeded to the Election of four Members of the Council of Safety, in the room of *Nathaniel Falconer*, *Jonathan B. Smith*, *Samuel Mifflin* and *Samuel Morris*, jun. when *John Bayard*, *John Cox*, *Francis Gurney* and *Samuel Cad. Morris* were choſen by Ballot Members of the ſaid Council of Safety for this State.

A Memorial of *William Wild* to the Congreſs, and by them referred to this Houſe, is, by this Convention, referred to the Council of Safety.

A Petition of *Lawrence Feagan*, relating to the Damage he ſuſtained by reaſon of a Riot among the Soldiers at the Barracks, was read, and ordered that the ſame be referred to the Council of Safety.

Adjourned to Nine o'Clock To-morrow Morning.

Thurſday, September 12, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Ordinance for obliging Debtors to give Security in certain Caſes, was read a ſecond time, and after being debated by Paragraphs, was ordered to be tranſcribed for a third Reading.

Adjourned to Three o'Clock in the Afternoon.

Thurſday, September 12, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Ordinance reſpecting adviſedly ſpeaking and writing againſt the *American* Cauſe, was read the third time, and paſſed into an Ordinance in the following Words, *viz.*

An ORDINANCE for puniſhing PERSONS guilty of CERTAIN OFFENCES therein mentioned againſt the UNITED STATES OF AMERICA.

WHEREAS evil diſpoſed Perſons may, by ſpeaking or writing, endeavour to influence the Minds of weak or unwary Perſons, and thereby impede the preſent virtuous Oppoſition made by the *Free, Independant, and United States of America*, againſt the wicked and tyrannic Meaſures purſued by the King and Parliament of *Great-Britain*; for the Prevention thereof,

Be it Ordained and Declared, by the Repreſentatives of the Freemen of the State of Pennſylvania, in General Convention met, That if any Perſon or Perſons within this State ſhall, by adviſedly ſpeaking or writing, obſtruct or oppoſe, or endeavour ſo to do, the Meaſures carrying on by the *United States of America*, for the Defence and Support of the Freedom and Independance of the ſaid States, ſuch Perſon or Perſons, on Complaint and Proof made on Oath or Affirmation before any Juſtice of the Peace of the City or County where the Offence ſhall be committed, ſhall be held to give Security, for his or their good Behaviour, in ſuch Sum or Sums of Money as the ſaid Juſtice may think neceſſary; and, in Default of giving ſuch Security, ſhall be committed

mitted to the common Jail of the ſaid City or County reſpectively, by the ſaid Juſtice, there to remain until he or they ſhall give ſuch Security, or be otherwiſe legally diſcharged. And if the ſaid Juſtice ſhall, on the Evidence given, judge that ſuch Offender is too dangerous, unfriendly or inimical to the *American* Cauſe to be admitted to Bail, then, and in ſuch Caſe, he may and ſhall aſſociate to himſelf two other Juſtices of the Peace of the ſaid City or County reſpectively; and if they, or any two of them, ſhall judge in like Manner, they may, by Warrant under their Hands and Seals, commit ſuch Perſons to the common Jail of the City or County reſpectively, for ſuch Time as they ſhall deem proper, not exceeding the Duration of the preſent War with *Great-Britain.*

And be it farther Ordained and Declared, by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him or themſelves aggrieved by the Judgment of the ſaid Juſtice or Juſtices, he or they may appeal to the Council of Safety for this State, who ſhall, without Delay, determine the ſame; and may confirm, nullify, ſuſpend, alter, or mitigate the Judgment of the ſaid Juſtice or Juſtices.

And be it farther Ordained and Declared, by the Authority aforeſaid, That this Ordinance ſhall continue in Force until the End of the firſt Seſſion of the future Legiſlature of this State, or until altered or repealed by the ſame, or by this Convention.

Paſſed in CONVENTION, September 12, 1776, *and ſigned by their Order,*
GEORGE ROSS, *Vice-Preſident.*"

Atteſt. JOHN MORRIS, jun. *Secretary.*

Information being given to this Convention, that the Battalion, or a Part of the ſame, under the Command of Colonel *Peter Grubb* of *Lancaſter* County, after having received one Month's Pay Advance, and having alſo been ſupplied with a Number of Arms in this City, have returned home without marching into *New-Jerſey*, and without being diſcharged; and have taken the ſaid Arms with them,

Reſolved,

That the Council of Safety do forthwith make diligent and ſtrict Enquiry into this Matter, and that they have Power to call before them the Colonel, and ſuch other Officers of the ſaid Battalion as they ſhall judge neceſſary.

A Petition from ſix Captains of Companies of Col. *Montgomery's* Battalion of *Cheſter* County, *Pennſylvania* Militia, complaining that they had not received their Pay, and deſiring the Interference of this Houſe, was read, and *Ordered to lie on the Table.*

The Houſe reſumed the Conſideration of the Bill reſpecting Aſſociators and Non-Aſſociators, and, after ſome Time ſpent therein,

Adjourned to Nine o'Clock To-morrow Morning.

Friday, September 13, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Houſe proceeded to the ſecond Reading of the Ordinance reſpecting Aſſociators and Non-Aſſociators, and the ſame being debated by Paragraphs, was ordered to be tranſcribed for a third Reading.

Adjourned to Three o'Clock in the Afternoon.

Friday, September 13, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Committee appointed to conſider of the military Affairs of this State, made their Report in Writing, which being read, was ordered to lie on the Table for Conſideration.

The Ordinance compelling Debtors to give Security, being compared at the Table, was read a third time, and ordered to paſs into an Ordinance in the following Words,

An ORDINANCE to compel *DEBTORS*, in certain CASES, to give SECURITY to their *CREDITORS.*

WHEREAS at this Time, when the *Courts* of *Juſtice* in this State are ſhut, it is abſolutely neceſſary that honeſt *Creditors* ſhould be made ſecure, when it ſhall appear that otherwiſe they might, by diſhoneſt *Debtors* taking Advantage of the Times, run the Riſk of loſing their juſt Debts.

Be it therefore Ordained and Declared, by the Repreſentatives of the Freemen of the State of Pennſylvania, in General Convention met, That where Complaint, by Oath or Affirmation, by the Complainant or ſome Perſon for him, ſhall be made to any one Juſtice of the Peace for this State, that any Perſon or Perſons, reſiding within the City or County where ſuch Juſtice hath Juriſdiction, is juſtly indebted to the Complainant in any Sum not exceeding *Five Pounds*, and that ſuch *Debtor* is about to depart this State, with Deſign to defraud his *Creditors*, as is believed; and that ſuch Debtor, being of ſufficient Ability, in the Judgment of the ſaid Juſtice, on full Examination had, refuſes to pay, or give reaſonable Security in the Nature of Special Bail for the ſame, to abide the Judgment of ſuch Perſon or Perſons as ſhall hereafter be impowered to judge

judge and determine the Matter in Controverſy, it ſhall and may be lawful for ſuch Juſtice to iſſue either a Summons or Capias, as the Caſe may require, directed to the proper Conſtable, requiring him to cauſe the Defendant to come before ſuch Juſtice, and the ſaid Juſtice ſhall order the ſaid Defendant to give ſuch reaſonable Bail as the Nature of the Caſe may require; and if ſuch Defendant ſhall neglect or refuſe to give ſuch Bail, then the ſaid Juſtice is hereby impowered to commit ſuch Defendant to the Gaol of the ſaid City or County, and the Keeper thereof is hereby required there to keep him ſafely, until he ſhall give ſuch Bail, or be otherwiſe lawfully diſcharged: And if any ſuch Perſon or Perſons ſhall be indebted to any one or mo Perſon or Perſons in a Sum exceeding *Five Pounds*, then on the like Complaint, on Oath or Affirmation being made to two Juſtices of the City or proper County, they ſhall proceed in Manner as before mentioned and directed in Caſes not exceeding *Five Pounds*.

Paſſed in *Convention*, *September* 13, 1776,

And ſigned by their Order,

JAMES POTTER, *Vice-Preſident*, pro Tem.

Atteſt. JOHN MORRIS, jun. *Secretary*.

Two Petitions from the Townſhips of *Upper* and *Lower Smithfield*, *Delaware* and *Hamilton*, in the County of *Northampton*, praying a Supply of Ammunition, *&c.* were read and referred to the Council of Safety.

The Houſe being informed, that Mr. *Swoope*, the Gentleman choſen the Member of the Council of Safety for the County of *York*, had accepted the Command of a Battalion in the Flying Camp, now proceeded to the Choice of another Member for that County, when Colonel *Joſeph Donnaldſon* was choſen by Ballot to that Office.

On Motion, *Reſolved*,

That the Members of the Council of Safety for this State, who have not hitherto made and ſubſcribed the Oath or Affirmation directed in the Ordinance for appointing Juſtices of the Peace, or the Oath or Affirmation of Office, may take and ſubſcribe the ſame before any Juſtice of the Peace for the County wherein they reſpectively reſide.

Reſolved,

That, on *Monday* next, this Houſe will reſume the Conſideration of the Frame of Government.

Adjourned to Nine o'Clock To-morrow Morning.

Saturday, September 14, 1776.

The Convention met, purſuant to Adjournment.

A Return of ſuch Men of Colonel *Montgomery's* Battalion of *Cheſter* County Militia, who left the Camp in *New-Jerſey* without regular Diſcharges, was made to the Houſe, and referred to the Council of Safety.

Whereas, from the Letters received from the Commiſſioners for *Indian* Affairs for the middle Department, with the Affidavit therein incloſed, there is too much Reaſon to apprehend, that the *Indians* have been encouraged, by the Agents of his *Britannic* Majeſty, to fall on the Frontiers of theſe States; therefore it behooves this Convention to take every prudent Precaution for the Safety of our Weſtern Frontiers; and as, by the Reſolves of the late Aſſembly of this State, the Council of Safety have the ſole Power of calling out the Aſſociators within the ſame; but, by reaſon of the great Diſtance of the Frontier Counties, and by reaſon that it may be abſolutely neceſſary, at a very ſhort Warning, to order out the Aſſociators of the ſaid Counties, or ſuch Part of them, from Time to Time, as Perſons on the Spot can only judge thereof,

Reſolved,

That the Member of the Council of Safety for the County of *Bedford*, and *Bernard Dougherty*, *William M'Coomb*, *James Anderſon* and *Robert Elliott* of the ſaid County; that the Member of the Council of Safety for the County of *Northampton*, and *Nicholas Dupui*, *David Deſhler*, *Herman Schneyder* and *Arthur Lattimore* of the ſaid County; and that the Member of the Council of Safety for the County of *Northumberland*, and *William M'Clay*, *Michael Troy*, *Walter Clark* and *Laughlin M'Cartney* of the ſaid County; and that the Member of the Council of Safety for the County of *Weſtmoreland*, and *Samuel Sloane*, *William Lockray*, *John Giffen* and *Chriſtopher Truby* of the ſaid County, reſpectively, or a Majority of them in each County reſpectively, be, and they are hereby impowered to order or approve of the going out of ſuch Part of the Aſſociators as they may think neceſſary, in caſe of an actual Invaſion, to march to the Protection of ſuch Part of the ſaid Counties as may be expoſed to the Depredations of the *Indians*, or to repel any Attack which may be made by them, in the moſt effectual Manner: And in caſe of any ſudden Invaſions made by the *Indians*, and not otherwiſe, the Captain or commanding Officer of any Company, in the ſaid County, is hereby impowered to order out ſuch Part of his Company as he may judge neceſſary for the Purpoſe aforeſaid: And in caſe any of the ſaid Counties ſhould be invaded, the ſaid Members of the Council of Safety, and Commiſſioners of the ſaid other Counties reſpectively, are hereby impowered, as often as they ſhall judge neceſſary, to order out the Aſſociators, or a Part of them, for the Aſſiſtance of ſuch County which may be ſo invaded: And the

Member

Member of the Council of Safety, and his Aſſociates for the reſpective Counties aforeſaid, are hereby directed to make out the Accounts of the Pay, Subſiſtance and neceſſary Expences of ſuch Aſſociators as ſhall be called out as aforeſaid, and lay the ſame before the Council of Safety or future Aſſembly of this State, in order that the ſame, appearing to them juſt and reaſonable, may be paid.

The Committee, who were appointed to confer with the Honourable Delegates in Congreſs from the State of *Virginia*, on the Settlement of a temporary Boundary between the State of *Virginia* and this State, *Reported* to the Convention, that they met the ſaid Delegates, who delivered to them the following Reſolve of the Convention of *Virginia*, and the following Letter from the Committee of Safety of that State to their Delegates, as their Propoſal on this Subject. In Anſwer to which, the Committee delivered the Letter and Propoſal, (which Anſwer and Propoſal the Committee approve of) in Reply; to which they received the Letter herein after laſt mentioned, by which it appears, that the Power of the Honourable Delegates, on this Subject, is at an End: But, as they therein inform the Committee, that they will, without Delay, tranſmit their Propoſal to the Governor and Council of *Virginia*, in order to be laid before the General Aſſembly of that State; this Convention having the utmoſt Confidence, that that Honourable Body will readily agree to any Propoſal that will ſettle the Diſputes in Queſtion, on the Principles of Juſtice and Equity, do therefore warmly recommend the Settlement of the ſaid Line, on theſe Principles, to the future Aſſembly of this State: And, in the mean Time, it is earneſtly recommended to the Inhabitants of that Part of the Country to forget their former Heats and Animoſities, which were fomented by thoſe who were equal Enemies to both States, and to promote Peace and Harmony, and to cultivate a good Underſtanding with one another, as they tender the Liberty and Happineſs of both States, as well as of *America* in general, which can only be preſerved by the Union of all her Sons.

Virginia, in CONVENTION, *June* 15th, 1776.

WHEREAS Diſputes have for ſome Time ſubſiſted between the People ſettled under the Government of this Colony and others ſettled under the Proprietors of *Pennſylvania*, which cannot be determined for Want of having the Boundary between the two Countries ſettled and aſcertained; and as the People are uncertain which Government they ought to ſubmit to, Conſequences of the moſt alarming Nature are juſtly to be apprehended from a Contention and Claſhing of Juriſdictions between the Magiſtrates and Officers of the reſpective Countries; for Prevention whereof, and in Order to reſtore Peace and Harmony to all thoſe People: *Reſolved*, That it be propoſed to the General Aſſembly or Repreſentatives of the People of the Province of *Pennſylvania*, to agree to the following Temporary Boundary between the two Countries, *that is to ſay*, From that Part of the Meridian of the Head Fountain of *Potowmack*, where it is interſected by *Braddocks* Road, along the ſaid Road to the great Croſſing of *Youghagany*; thence down the Meadows of that River to the *Cheſtnut* Ridge; thence along that Ridge to the Eaſterly Branch of *Jacobs* Creek, otherwiſe called *Greenlickrun*; thence down the ſaid Run to *Braddocks* Old Road; thence along the ſame and the new Road leading to *Pittſburg*, to a Place called the *Bullock Pens*, now in the Tenure of *William Elliott*; and from thence a direct Courſe to the Mouth of *Plumb-run* on the *Allegbany* River, above Colonel *Crogbans*: Which Lines this Convention are of Opinion will give moſt general Satisfaction to the Inhabitants, as it will nearly leave them in the reſpective Country under which they ſettled. That the preſent Inhabitants on either Side the Line ought quietly to enjoy their Poſſeſſions, and be ſubject to the Regulations of the Government they will remain in, without conſidering under which they derive their Title, until a final and ultimate Boundary can be ſettled, when nothing, which may be done in Conſequence of this Agreement, ſhall tend to prejudice the Titles of Individuals, or the Claim of either Country to a fair and equal Boundary.

EDMUND PENDLETON, *Preſident*.

JOHN TAZEWELL, C. C.

Ordered,

That the Committee of Safety be deſired immediately to tranſmit the foregoing Reſolution to the Delegates appointed to repreſent this Colony in General Congreſs, requeſting them to negotiate the ſame on the Part of this Colony.

EDMUND PENDLETON, *Preſident*.

JOHN TAZEWELL, C. C.

Williamſburg, *June* 17, 1776.

GENTLEMEN,

THE Confuſion which hath for ſome Time happened amongſt the People in the diſputed Lands between *Pennſylvania* and this Colony, and a Repreſentation to the Convention, that a Civil War was like to be the Conſequence if ſomething was not done to prevent it, induced that Body to take the Subject into Conſideration, who were ſorry to diſcover that a Jealouſy ſeemed to prevail in the governing Powers of *Pennſylvania*, of our intending the Garriſons on the *Ohio* to influence that Diſpute, and to over-awe their People. Whereas we only mean by them to protect our People and thoſe in the conteſted Settlement from the Danger they are expoſed to of *Indian* Ravages, without the moſt diſtant View to offer any Injury to our Friends and Neighbours,

with whom it is our Inclination as well as Intereſt to unite, a temporary Boundary appeared to the Convention the only Means of quieting the People, until we have Leiſure to refer the final Deciſion to ſome arbritating Power between us, and in fixing that, they judged, that to point a Line which would moſt nearly leave the Inhabitants in the Country they reſpectively ſettled under, would be moſt likely to give general Satisfaction; and having examined ſeveral Gentlemen well acquainted with that Country, who were of Opinion that End would be anſwered by the Line deſcribed in the incloſed Reſolution, they have reſolved to propoſe that Line to the *Pennſylvania* Aſſembly, and have commanded us to tranſmit it to you, requeſting that you would negotiate the Matter in ſuch Manner as you ſhall think moſt effectual.

We are with great Regard, *Gentlemen*,

Your obedient humble Servants.

EDMUND PENDLETON,
DUDLEY DIGGES,
P. CARRINGTON,
THOMAS LUD. LEE,
WILLIAM CABELL,
JOS. JONES.

To the Honourable the *Virginia* Delegates in *Congreſs*.

THE Committee of the Honourable Convention of the State of *Pennſylvania*, appointed to confer with the Honourable Delegates in Congreſs from the State of *Virginia* on the Settlement of a temporary Boundary between the ſaid States, are of Opinion, that the Line propoſed by the Honourable Delegates will be very wide from the true Limits of *Pennſylvania*, according to the Charter; And as the State of *Virginia* in one of their moſt ſolemn Acts, publiſhed as the future Form of Government for that State, and intending thereby to lay the moſt ſolid Baſis for Union and Confederation with the neighbouring States, has "ceded, releaſed, and forever confirmed, "to the People of this State all the Territories contained within the Charter erecting this Co-"lony, with all the Rights of *Property*, *Juriſdiction and Government*, *and all other Rights* what-"ever," the propoſing a temporary Boundary, which would out off ſo large a Part from this State, ſeems inconſiſtent with the ſaid full, free and abſolute Releaſe, and inſtead of being the Baſis of Union, would certainly be the Occaſion of much Confuſion; and as the Minds of the Inhabitants of that Part of the Country are greatly agitated by the Diſputes between the two Governments, we have Reaſon to apprehend fatal Conſequences, ſhould a temporary Boundary ſo apparently partial be agreed to, even upon the Principle mentioned by the Honourable Convention of *Virginia* in their Reſolve, impowering their Delegates to confer on this Subject (ſuppoſeing it equitable, which may be liable to Diſpute) the Line propoſed we apprehend cannot be admitted; and we are convinced that Honourable Body muſt have been miſinformed as to the Settlement of that Part of the Country which lies between the temporary Boundary propoſed and the true Line. We can aſſure the Honourable Delegates, that it is far from the Wiſh of the People of this State to extend the ſame beyond its due Bounds, it is equally far from their Wiſh to eſtabliſh a temporary Juriſdiction confeſſed far within thoſe Bounds, as ſuch a temporary Boundary would on many Accounts be productive of more Confuſion and greater Inconveniencies than if it was permanent and final.—

Therefore, as the only Means of reſtoring Peace and Unity amongſt the Inhabitants of the Frontiers of each State, it is our earneſt Deſire that a temporary Boundary as nearly correſpondent to the true one as poſſible, and ſuch as will "do no Injury to either Party" ſhould be run, which may be done in a very ſhort Time and at a trifling Expence with no conſiderable Error by one or more Commiſſioners appointed on the Part of each State.

It will give us great Pleaſure ſhould this Propoſal meet with the Approbation of the Honourable Delegates, as ſuch a Settlement will enable the Inhabitants to join Heart and Hand in the great Cauſe wherein we are all equally intereſted.

DAVID RITTENHOUSE,
THOMAS SMITH,
ALEXANDER LOWREY,
OWEN BIDDLE,
JAMES POTTER,
EDWARD COOK."

THE *Virginia* Delegates have received the Propoſal for eſtabliſhing a temporary Boundary between the State of *Virginia* and *Pennſylvania*, from the Committee of the Honourable Convention of the State of *Pennſylvania*, and for Anſwer ſay: That their Power is ended, having been expreſsly limited to the Line already propoſed to the Honourable Convention of the State of *Pennſylvania*, as a temporary Boundary. That they will, without Delay, tranſmit the Propoſal of the Honourable Committee to the Governor and Council of the Commonwealth of *Virginia*, in order to its being laid before the General Aſſembly which meets early in *October* next; and in the mean Time they wiſh the Influence of both Governments may be exerted to preſerve Friendſhip and Peace between the People of both States on the controverted Boundary.

THOMAS NELSON, jun.
RICHARD HENRY LEE,
FRANCIS LIGHTFOOT LEE.

Philadelphia, 12th *September*, 1776.

The Houſe proceeded to the third Reading of the Bill reſpecting the Burthen of Aſſociators, and the ſame being compared at the Table, was paſſed into an Ordinance in the following Words, *viz.*

An

AN ORDINANCE *for rendering the Burthen of* ASSOCIATORS *and* NON-ASSOCIATORS *in the Defence of this State as nearly equal as may be.*

WHEREAS the Aſſociators of this State have beſtowed much of their Time, and been at a conſiderable Expence in qualifying themſelves for the Defence of their Country, and are now gone forth into actual Service, to the great Prejudice of their private Concerns, while others, by not aſſociating, have exempted themſelves from theſe Difficulties, and purſued their Buſineſs to Advantage. And whereas no effectual Meaſures have hitherto been taken to render the Burthen of the Defence, which is a common Benefit, as nearly equal as poſſible:

THEREFORE BE IT ORDAINED and DECLARED, and it is hereby ORDAINED and DECLARED, by the Repreſentatives of the Freemen of the State of *Pennſylvania*, in General Convention met, That every Non-Aſſociator, between the Ages of Sixteen and Fifty Years, ſhall pay for and during the Time of his continuing a Non-Aſſociator at the Rate of *Twenty Shillings* for each and every Month, to commence from the Publication of this Ordinance, and to continue until the End of the firſt Seſſion of the future Aſſembly of this State, unleſs the ſaid Aſſembly ſhall, before that Time, alter or repeal the ſame.

AND BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That every Non-Aſſociator, above the Age of Twenty-one Years, ſhall pay, in Addition to the aforeſaid Fine, at the Rate of *Four Shillings* in the Pound on the annual Value of his Eſtate, as rated under the late Laws of this State for raiſing Provincial Taxes.

AND BE IT FURTHER ORDAINED, by the Authority aforeſaid, That all the Monies which ſhall be raiſed by the aforeſaid Aſſeſsments and Fines, after diſcharging the neceſſary Expences attending collecting the ſame, ſhall be paid into the Hands of *John Bayard*, Eſq; for the Relief and Support of the Families of poor Aſſociators of this State, while out in the Service, and to afford Aſſiſtance to thoſe poor Aſſociators who are by the Service rendered incapable of ſupporting themſelves and their Families, and alſo to afford ſuch Aſſiſtance to the Widows and Children of ſuch poor Aſſociators as loſe their Lives in the Service of their Country.

AND BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That when any of the ſaid Aſſociators, or their Widows and Children, ſhall be ſo entitled to a Share of the Monies ariſing from the aforeſaid Aſſeſsment and Fines, the Field-Officers of the Battalion, or any three of them, and a Private of the Company to which ſuch Aſſociator, at the Time when he or his Widow and Children became ſo entitled, did belong, ſhall certify the particular Circumſtances of the ſaid Aſſociator or his Wife, (or of his Widow and Children, if he ſhould be killed) to the future Aſſembly of this State, in order to enable them to fulfil the Intent of this Ordinance. And to the End that the ſaid *Four Shillings* in the Pound, and the ſaid monthly Fines of *Twenty Shillings*, may be duly aſſeſſed, levied, collected and paid, for the Purpoſes herein before mentioned,

BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That *Jacob Morgan*, *Joſeph Moulder* and *Jacob Bright* be, and are hereby appointed Commiſſioners; and *Iſaac Snowden*, *James Milligan*, *Michael Shubart*, *Benjamin Harbeſon*, *William Will* and *William Hollingshead*, Aſſeſſors for the City of *Philadelphia*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the City of *Philadelphia*.

THAT *Thomas Potts*, *Samuel Erwin* and *John Williams* be, and are hereby appointed Commiſſioners; and *John Brown*, *William Robinſon*, *Samuel Ingle*, *Andrew Knox*, *Henry Derringer* and *Iſaac Hughes*, Aſſeſſors for the County of *Philadelphia*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Philadelphia*.

AND that *James Benezet*, Captain *William Roberts* and *Abraham Middleſwarts* be, and are hereby appointed Commiſſioners; and *Gilliam Cornet*, *Abraham Britton*, *James Wallace*, *Thomas Armſtrong*, *Benjamin Sagal* and *George M'Ilroy*, Aſſeſſors for the County of *Bucks*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Bucks*.

AND that *Thomas Levis*, *William Evans* and *Thomas Taylor* be, and are hereby appointed Commiſſioners; and *Caleb Davis*, *Richard Thomas*, *David Cloyd*, *Benjamin Brennon*, *Thomas Evans* and *Joſeph Gardner*, Aſſeſſors for the County of *Cheſter*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Cheſter*.

AND that *Alexander Martin*, *Chriſtian Wirtz* and *Caſpar Snevely* be, and are hereby appointed Commiſſioners; and *John Bokenſtoſe*, *John Rowland*, *Philip Greenwalt*, *Thomas Clark*, of *Dromore*, *Caſpar Shaffner* and *John Jemmiſon*, the younger, Aſſeſſors for the County of *Lancaſter*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Lancaſter*.

AND that *Peter Wolfe*, *John Neſbit* and *Archibald M'Clean* be, and are hereby appointed Commiſſioners; and *Patrick Scott*, *Benjamin Pidon*, *Frederick Wolfe*, *John Agnew*, *Chriſtopher Lowman* and *James Dill*, Aſſeſſors for the County of *York*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *York*.

AND that *Patrick Maxwell*, *Samuel Leard* and *James Pollock* be, and are hereby appointed Commiſſioners; and *Henry Polling*, *John Davis*, *James Lyon*, *Alexander Morrow*, *John Carſon* and *William Rippey*, Aſſeſſors for the County of *Cumberland*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Cumberland*.

AND that *Henry Reitmeyer*, *Chriſtian Lower* and *Mordecai Lincoln* be, and are hereby appointed Commiſſioners; and *Conrad Herſoner*, the elder, *Nicholas Jones*, *Frederick Mayerle*, *George Kelchner*,

Kelchner, *Warner Stam* and *John Robinſon*, Aſſeſſors for the County of *Berks*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Berks*.

AND that *Peter Burkhalter*, *Jacob Opp* and *Henry Lawald* be, and are hereby appointed Commiſſioners; and *Peter Koler*, *Abraham Arndt*, *Benjamin Dupui*, *Peter Haas*, *Peter Beiſel* and *John Van Camp*, Aſſeſſors for the County of *Northampton*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Northampton*.

AND that *Charles Ciſſna*, *Edward Coomb* and *John Ciſſna* be, and are hereby appointed Commiſſioners; and *Matthew Patton*, *Harman Husbands*, *William Todd*, *William Parker*, *William Phillips* and *Benjamin Elliot*, Aſſeſſors for the County of *Bedford*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Bedford*.

AND that *Thomas Hewit*, *William Gray* and *John Weitzel* be, and are hereby appointed Commiſſioners; and *Jonathan Loudge*, *Walter Clark*, *Peter Holſterman*, *James Harriſon*, *Nicholas Miller* and *Jacob Heverlan*, Aſſeſſors for the County of *Northumberland*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Northumberland*.

AND that *Robert Hanna*, *James Cavat* and *James Pollock* be, and are hereby appointed Commiſſioners; and *William Elliott*, *John Shields*, *Samuel Moorhead*, *James M'Clean*, *James Beard* and *Chriſtopher Truby*, Aſſeſſors of the County of *Weſtmoreland*; who, or a Majority of them, ſhall be a Board of Commiſſioners and Aſſeſſors for the County of *Weſtmoreland*: Who ſhall meet at the Court-houſes of their ſeveral and reſpective Counties, on *Monday*, the Fourteenth Day of *October* next enſuing, or as ſoon after as they can conveniently meet, and appoint proper Perſons to make Returns to them of all the Non-Aſſociators in their reſpective Diſtricts, on or before the ſecond *Monday* of *November* next enſuing.

AND BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That the ſaid Commiſſioners and Aſſeſſors ſhall have all the Powers, Authorities and Juriſdictions which any Commiſſioners and Aſſeſſors heretofore enjoyed under the late Laws of the Province of *Pennſylvania*, and ſhall proceed in raiſing, levying and collecting the ſaid Sum of *Four Shillings* in the Pound and *Twenty Shillings* per Month in the ſame Manner and under the ſame Appeals, Rates, Directions, Penalties and Forfeitures, in all Reſpects as in and by the ſeveral late Laws of the late Government of *Pennſylvania*, which were in Force on the Firſt Day of *July* laſt, for raiſing, levying, collecting and paying the Aſſeſſments and Taxes of ſaid Government, ſaving and excepting only ſuch Parts of the ſame Laws as are hereby altered or ſupplied.

AND BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That the Direction in the ſaid Laws ſhall be effectual to all Intents and Purpoſes for raiſing, levying, collecting, ſecuring and accounting for the ſaid Rates and Sums of Money, and for levying and recovering the Penalties and Forfeitures, and all other Matters and Things thereunto belonging, as fully and effectually as if the ſame were particularly and at large repeated and inſerted in this Ordinance, except in ſuch Caſes as are herein aſcertained, provided for or altered.

AND BE IT FURTHER ORDAINED and DECLARED, by the Authority aforeſaid, That the Commiſſioners, on any Appeal from the Rate or Aſſeſſment of *Twenty Shillings* per Month, may remit the Whole, or any Part thereof, in Caſe of the Poverty, Sickneſs or bodily Inability to labour, of the Non-Aſſociator, or other ſuch Caſe as would exempt an Aſſociator from muſtering or marching, when duly called thereto, but in no other Caſe whatever.

AND WHEREAS Perſons above Fifty Years of Age are exempted from perſonal Service, by reaſon of their Inability to bear the Fatigue of military Duty; yet it is but juſt and reaſonable that they ſhould contribute towards the Security of their Property: BE IT THEREFORE ORDAINED and DECLARED, by the Authority aforeſaid, That all and every ſuch Perſon, above the Age of Fifty Years, ſhall pay the like Sum of *Four Shillings* in the Pound on the annual Value of their Eſtates.

PROVIDED always, That this Tax ſhall not be levied on, or paid by, any ſuch Perſon above Fifty Years of Age, who ſhall have one or more Sons, who are Aſſociators unmarried, and reſiding with his or their Father. And PROVIDED alſo, That if any Perſon, above the Age of Fifty Years, who ſhall be judged, by the commanding Officer of the Battalion, fit for military Duty, ſhall voluntarily enter into the Aſſociation, then and in ſuch Caſe ſuch Perſon ſhall be exempted from paying the ſaid Tax. And PROVIDED alſo, That nothing herein contained ſhall prevent or obſtruct the levying, collecting and paying the Fines heretofore ſet on Non-Aſſociators by the late Aſſembly, but the ſame ſhall be collected under the ſame Penalties, in the ſame Manner, and by the ſame Perſons as are mentioned and appointed to levy and collect the Monies to be raiſed by Virtue of this Ordinance.

Paſſed in CONVENTION, *September* 14, 1776, *and ſigned by their Order*,

B. FRANKLIN, *Preſident*.

Atteſt. JOHN MORRIS, jun. *Secretary*.

Adjourned to Two o'Clock on *Monday* Afternoon.

PHILADELPHIA: Printed and Sold by HENRY MILLER, in *Race-Street*.

MINUTES
OF THE
CONVENTION
For the STATE of *PENNSYLVANIA*,

From MONDAY, *September* 16, to SATURDAY, *September* 21, 1776.

Monday, September 16, 1776, *P. M.*

THE Convention met, purſuant to Adjournment.

The Houſe, agreeable to the Order of the Day, reſumed the Conſideration of the Frame of Government.

It was moved by Col. *Roſs*, and ſeconded by Mr. *Clymer*, that the firſt and ſecond Sections of the propoſed Frame of Government be debated upon and amended. Whereupon it was *Reſolved*,

That the further Debate, on the ſecond Section, is precluded; becauſe it was fully debated and determined before, as appears by the Minutes of the Firſt and Second of *Auguſt* laſt.

Moved and Seconded,

That the Yeas and Nays, on any Queſtion in the Frame of Government, ſhall be entered on the Minutes, when it ſhall be requeſted by any four Members: But, the previous Queſtion being put, it was determined, that the Queſtion be not now put.

Adjourned to Nine o'Clock To-morrow Morning.

Tueſday, September 17, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Frame of Government.

Adjourned to Three o'Clock in the Afternoon.

Tueſday, September 17, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Frame of Government.

A Member informed the Houſe, that there were now in Town two *Shawaneſe Indians*, who were ſoon about to return home, and propoſed, that the Convention ſhould take ſome friendly Notice of them, and embrace this Opportunity of ſending a Meſſage to the *Shawaneſe* Nation. Whereupon it was *Ordered*,

That Mr. *Jacobs*, Col. *Lowrey* and Major *James Smith* be a Committee to prepare a Speech and Wampum for a Conference with the ſaid *Indians*.

Adjourned to Nine o'Clock To-morrow Morning.

Wedneſday, September 18, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Committee appointed to prepare a Speech, *&c.* to the *Shawaneſe Indians*, reported a Draught thereof, and that they had procured ſome Wampum according to Order. The ſaid Draught, being read, was approved.

On Motion, *Reſolved*,

That the Sum of *Forty Dollars* be given to the ſaid two *Indians* as a Preſent; but, the Money not being now here, the Gift and Interview were deferred till To-morrow Morning.

The Houſe then reſumed the Conſideration of the Frame of Government; and, after ſome Deliberation thereon, it was

On Motion, *Ordered*,

That Col. *Matlack*, Mr. *Jacobs* and Mr. *Hubley* be a Committee to reviſe and bring in a Subſtitute for the fifteenth Section.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, September 18, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Frame of Government; and, after ſome conſiderable Time employed therein,

Adjourned to Nine o'Clock To-morrow Morning.

Thurſday, September 19, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Gentlemen appointed to reviſe and bring in a Subſtitute for the 15th Section of the Bill, reported a Draught thereof, which was read.

The two *Indians* now attending, the Preſident read to them the Meſſage to their Nation, which, being tranſlated by Col. *Lowrey*, was delivered to them in Writing, and is as follows:

The STATE *of PENNSYLVANIA, by their* REPRESENTATIVES *in* CONVENTION, *at* Philadelphia, *to their* BRETHREN *the SHAWANESE INDIANS.*

BRETHREN!—*Liſten to us!*

WE have been much pleaſed to ſee our Brothers the *Shawaneſe* among us, and we hope they are well ſatisfied with their Viſit to our Towns: They can tell you, that we keep our Roads open, and clear from all bad Weeds, Briars and Thorns. A STRING.

BROTHERS!

We hope you will alſo be careful of your Roads, and not ſuffer the evil Spirit to interrupt our ancient Friendſhip. A STRING.

BROTHERS!—*Liſten to us!*

The great Council of the Thirteen United States have appointed Commiſſioners to ſpeak to you, at *Pittſburgh*, about our ancient Friendſhip. We deſire you will liſten to them, and you may depend that your white Brethren, who have grown out of this ſame big Iſland with you, will hold faſt the ancient Covenant-Chain of Friendſhip entered into by our Anceſtors: And we deſire, Brethren, that you will not let our Friendſhip go; but, that you will be ſtrong in the good Work of Peace, which you are invited to meet about at *Pittſburgh*, and not liſten to the evil Spirit, which, you know, has been ſtriving to make Miſchief between us; for we, on our Parts, are reſolved to preſerve our ancient Friendſhip with you: And we deſire you will aſſiſt your white Brethren of the United *American* States to live in Peace with all Nations.—To confirm our Words, we ſend, by our Brothers *Wentbiſſica* and *Pellawa*, this Belt, which we deſire you will ſhew in Council to all our *Indian Brethren of every Nation.* A BELT.

After which the Preſent of *Twenty Dollars* to each was made, and thankfully received by them.

It was alſo, on Motion, *Ordered*,

That it be recommended to the Inhabitants of this State in general, and particularly to the Committees of the ſeveral Counties, to treat with Reſpect the Bearers, *Wentiſſica* and *Pellawa*, two *Shawaneſe Indians*; and, if Occaſion ſhould require, to afford them Protection as they travel on their Journey home, they being the Bearers of a Meſſage from this Convention to their Nation.

Some Letters from the Commiſſioners for *Indian* Affairs, at Fort *Pitt*, to the Committee of *Weſtmoreland* County, and from the ſaid Committee to their Members in this Convention, dated the 31ſt of *Auguſt*, and the 7th and 8th of *September* Inſtant, relative to the Danger of an *Indian* War, and requeſting a Supply of Arms and Ammunition, were read, and

Ordered to be referred to the Council of Safety.

A Letter from Colonel *Kachlean*, dated at *Amboy, September* 11th, 1776, informing of ſome Deſerters from his Battalion of the *Bucks* County Militia, was read, and

Referred to the Council of Safety.

The Houſe then reſumed the Conſideration of the Frame of Government; and, after ſome Time employed therein,

Adjourned to Three o'Clock in the Afternoon.

Thurſday, September 19, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe then reſumed the Conſideration of the Frame of Government; and, after ſome Time employed therein,

Adjourned to Nine o'Clock To-morrow Morning.

Friday, September 20, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Memorial from the Committee of *Northumberland*, ſetting forth their Apprehenſions of an *Indian* War, and the defenceleſs State of that Frontier County, and praying the Aſſiſtance of this Houſe for their Defence, was read, and *Ordered to lie on the Table for Conſideration.*

Leave

Leave of Abſence was given to Colonel *Clark* to go and viſit his Battalion at *Amboy.*

Mr. *Hay* had Leave to go home to ſee his ſick Family.

The Houſe reſumed the Conſideration of the Frame of Government; and, after ſome Time ſpent therein,

Adjourned to Three o'Clock in the Afternoon.

Friday, September 20, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Frame of Government.

On Motion, *Reſolved,*

That the Expences of the two Companies raiſed by the Committee of *Weſtmoreland,* in conſequence of Col. *M'Coy's* Inſtructions preventing him from ſtationing his Battalion in proper Places, ſhall be liquidated and paid in the ſame Manner as is directed by the Reſolves of this Houſe of the 14th Inſtant: And, that the Council of Safety be deſired to ſend up, for their Uſe, ſuch a Sum of Money as they may think neceſſary.

Adjourned to Nine o'Clock To-morrow Morning.

Saturday, September 21, 1776.

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Frame of Government; and, after ſome Time,

Adjourned to Nine o'Clock on *Monday* Morning.

PHILADELPHIA: Printed and Sold by [illegible]Y MILLER, in *Race-Street.*

MINUTES
OF THE
CONVENTION
For the STATE of *PENNSYLVANIA*,

From MONDAY, *September* 23, to SATURDAY, *September* 28, 1776.

Monday, September 23, 1776, *A. M.*

THE Houſe met, purſuant to Adjournment.

The Convention proceeded to the further Conſideration of the Frame of Government.

A Letter from *Amboy*, from General *Roberdeau*, containing his Sentiments on the Regulations of the Militia of this State, was read, and ordered to lie on the Table for Conſideration.

Adjourned to Half paſt Three o'Clock in the Afternoon.

Monday, September 23, 1776, *P. M.*

The Houſe met, purſuant to Adjournment.

On Motion, *Ordered*,

That Col. *Matlack*, Mr. *Jacobs* and Col. *Thomas Smith* be a Committee to bring in the Draught of a Reſolve for ſettling and regulating the General Election for this preſent Year.

The Convention reſumed the Conſideration of the Frame of Government; and, after conſiderable Time ſpent therein,

Adjourned to Nine o'Clock To-morrow Morning.

Tueſday, September 24, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Member of the Council of Safety acquainted the Houſe, that he was inſtructed by that Board to inform them, that it would be neceſſary to apply to Congreſs for a further Loan of 100,000 Dollars. Whereupon it was

Reſolved,

That the Delegates of this State in Congreſs be directed to apply to the Congreſs for the Loan of 100,000 Dollars, on the Credit and Faith of this State.

Reſolved,

That the Members of the late Conference of Committees be allowed the ſame Mileage and Wages as have been uſually paid to the Members of Aſſembly, and that the Treaſurer of this State pay the ſame on the Certificates of either of the Secretaries of the ſaid Conference.

Reſolved,

That it be referred to the Council of Safety to pay ſuch Expences as they think were juſtly incurred by the ſending Expreſſes to call together the People for chooſing Brigadiers-Generals.

Reſolved,

That the Wardens of the City of *Philadelphia* do continue to exerciſe the Duties of their ſaid Office as Wardens, until the Firſt *Tueſday* in *November* next, and until new Wardens ſhall be choſen.

A Memorial from Mr. *Paul Fooks*, reſpecting the Appointment of a ſworn Interpreter for foreign Languages and Notary Public, and deſiring to be nominated to thoſe Offices, was read, and ordered to be referred to the Council of Safety.

The Houſe reſumed the Conſideration of the Frame of Government; and, after ſome Time ſpent therein,

Adjourned to Three o'Clock in the Afternoon.

Tueſday, September 24, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe reſumed the Conſideration of the Frame of Government; and, after ſome Time,

Adjourned to Nine o'Clock To-morrow Morning.

Wedneſday, September 25, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

A Letter

A Letter from the Rev. Meſſrs. *Duffield* and *Marſhall*, praying that the Clergy of this State may be exempted from the Burthen of Civil Officers, and ſetting forth their Reaſons for ſuch Exemption, was read, and ordered to lie on the Table for Conſideration.

A Petition from the Rev. Meſſrs. *Muhlenberg* and *Weyberg*, praying for an Addition to the 47th Article of the propoſed Frame of Government, confirming the Incorporations for promoting religious and charitable Purpoſes, was read, and *Ordered to lie on the Table.*

A Letter from Colonel *Hancock*, Preſident of Congreſs, to this Convention, informing of the late Reſolution of Congreſs for raiſing a Number of additional Battalions, and for inliſting the Soldiers until the End of the War; and warmly requeſting this Houſe to take the moſt ſpeedy and effectual Meaſures for that Purpoſe, was read, and

Ordered to be taken into Conſideration in the Afternoon.

The Houſe reſumed the Conſideration of the Frame of Government.

Ordered,

That Mr. *Cannon*, Mr. *Jacobs* and Mr. *Rittenhouſe* be appointed to prepare the Draught of a Preamble to the Declaration of Rights and Frame of Government, and of the Oaths of Allegiance and Office, to be inſerted in the ſaid Frame.

Adjourned to Three o'Clock in the Afternoon.

Wedneſday, September 25, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Houſe, agreeable to Order, took into Conſideration the Letter from Colonel *Hancock*; and, after ſome Conſideration, it was

Ordered,

That Col. *Bull*, Col. *Matlack*, Col. *Potter*, Mr. *Hubley* and Col. *Clark* be a Committee to conſider the ſaid Letter, and report thereon to this Houſe.

The Gentlemen appointed to draw up a Preamble to the Declaration of Rights and Frame of Government, reported an Eſſay for that Purpoſe, which was read, and referred for further Conſideration.

They alſo reported an Eſſay for the Oaths and Affirmations of Allegiance, and of Office; which, being read and amended at the Table, were approved of, and ordered to be inſerted in the Frame of Government.

Adjourned to Nine o'Clock To-morrow Morning.

Thurſday, September 26, 1776, *A. M.*

The Convention met, purſuant to Adjournment.

The Committee appointed to draw up the Reſolve reſpecting the Elections for the preſent Year, reported a Draught for that Purpoſe; which, being read and amended, was agreed to in the following Words:

In CONVENTION for the STATE of *Pennſylvania.*

WHEREAS it is not convenient to hold the next Election throughout this State, for chooſing the elective Officers thereof, on the Day on which it will be moſt convenient to the People to hold their Elections for the future: And this Convention being deſirous that the Freemen of this State may, as ſoon as poſſible, enjoy the Advantages of a free and eſtabliſhed Government; it is therefore

Reſolved,

That the next Election of Repreſentatives in General Aſſembly, and of all other elective Officers heretofore uſually choſen on the Firſt Day of *October*, ſhall be held for the City of *Philadelphia*, and for the County of *Philadelphia*, and for every other County of this State, on *Tueſday*, the Fifth Day of *November* next; and, except in the Counties of *Bedford*, *Northumberland* and *Weſtmoreland*, at the Places where the Elections for Repreſentatives in this Convention were held. The Election for Inſpectors is to be held in the City of *Philadelphia*, and in each of the Counties of this State, on *Saturday*, the Second Day of *November* next. The Judges of the ſaid Elections ſhall be choſen and appointed by the Inſpectors on the Day of Election; and ſhall be ſubject to the like Forfeitures and Penalties for Fraud or wilful Neglect as the Sheriff would have been in the like Caſe by the late Laws of this State.—The Conſtables of the Wards in the City of *Philadelphia*, and of the Townſhips of the ſeveral Counties of this State, ſhall give Six Days Notice of the Election for Inſpectors. The Judges, or one or more of them, ſhall, within Two Days following the Election, meet at the Court-houſe of the reſpective Counties in which Elections ſhall be held in Diſtricts, and Returns ſhall be made to them from the Diſtricts, of the Names of the Candidates, and Number of Votes for each: And the Judges ſhall caſt up the Votes, and ſhall certify thoſe, who are higheſt in Votes, to be duly elected to the reſpective Offices. And the Elections ſhall, in all other Matters, be held and carried on, as nearly as may be, according to the Directions of an Act of Aſſembly of the late Government of *Pennſylvania*, made in the Year One Thouſand Seven Hundred and Sixty-ſix, entituled, "*An Act directing the Choice of Inſpectors, and for holding the General Elections in this Province.*" And in

Caſe

Case any Townſhip or Townſhips neglect to chooſe an Inſpector or Inſpectors, the other Inſpectors and the Judges preſent at the Election ſhall appoint an Inſpector or Inſpectors for ſuch Townſhip or Townſhips.

The Freemen of the County of *Bedford* ſhall vote in Four Diſtricts for this preſent Year, as follows, *viz.* The Freemen of the firſt Diſtrict, containing the Townſhips of *Bedford*, *Colerain* and *Cumberland Valley*, at the Court-houſe in the Town of *Bedford*;—Of the ſecond, containing the Townſhips of *Bethel*, *Air* and *Dublin*, at the Houſe of *John Burd*, at Fort *Littleton*;—Of the third, containing the Townſhips of *Barré*, *Hopewell* and *Frankſtown*, at *Standing-ſtone*;—And of the fourth, containing the Townſhips of *Brothers Valley*, *Turkeyfoot* and *Quemachoning*, at the Houſe of *John Kemberlin*, near the Junction of the ſaid three Townſhips.

The County of *Northumberland* ſhall be divided into Four Diſtricts; *to wit*, The Freemen of *Auguſta*, *Penns* and *Mahony* Townſhips, ſhall meet at the Town of *Sunbury*;—Of *Turbutt*, *Mahoning* and *Wioming*, ſhall meet at the Town of *Northumberland*;—Of *Buffaloe*, *White-Deer* and *Potter*, ſhall meet at *Foutz's* Mill, in *Buffaloe* Townſhip;—And of *Munſey* and *Bald-Eagle*, ſhall meet at the Houſe of *Amariah Sutton*, in *Munſey* Townſhip.

The Electors of the County of *Weſtmoreland* ſhall hold their Election in manner following; *that is to ſay*, The Electors on the North Side of *Kiſkemenetas* and *Cannemach* ſhall hold their Election at Captain *Samuel Moorhead's* Mill;—The ſecond Diſtrict ſhall be bounded by the *Laurel Hill*, *Connemach*, the *Cheſtnut Ridge* and *Youghagany*, and ſhall hold their Election at *Ligonier*: The other Electors in the ſaid County, not comprehended in the foregoing Diſtricts, ſhall hold their Elections at the two Places directed by the Conference of Committees for electing Members of this Convention.

Every Elector, before his Vote is received, ſhall take the following Oath or Affirmation, inſtead of that heretofore required, *viz.*—*I*——*do ſwear*, (or affirm) *that I will be faithful and true to the Commonwealth of* Pennſylvania; *and that I will not, directly or indirectly, do any Act or Thing prejudicial or injurious to the Conſtitution or Government thereof, as eſtabliſhed by the Convention.*

And the Judges and Inſpectors of the ſaid Elections ſhall, beſides the Oaths preſcribed in the Law directing the Choice of Inſpectors above-mentioned, take the Oath of Allegiance above recited. And

Reſolved,

That the ſaid General Aſſembly, choſen in conſequence of the foregoing Reſolves, ſhall meet at *Philadelphia*, on *Tueſday*, the Nineteenth Day of *November* next.

Adjourned to Three o'Clock in the Afternoon.

Thurſday, September 26, 1776, *P. M.*

The Convention met, purſuant to Adjournment.

The Committee appointed to conſider of the Matter contained in Colonel *Hancock's* Letter, made their Report in Writing; which, being read, was agreed to by the Houſe, and is as follows:

That three Perſons be commiſſioned immediately to repair to the ſeveral Stations where any of the Forces of this State now are, and obtain a full Account of the Strength and Condition of the Battalions raiſed in this State, except in the County of *Weſtmoreland*.

That the Officers of theſe Battalions, who ſhall appear to be qualified for their Stations, be continued, if they ſhall enter to ſerve during the War.

That the Vacancies occaſioned by Officers declining to ſerve, or which have happened, or may happen by other Means, be filled by the Council of Safety, where it is neceſſary to be done before the Sitting of the General Aſſembly.

That as many as poſſible of the Soldiers, who are now in the Service, be induced to inliſt to ſerve during the War; and that Perſons be appointed to recruit the ſeveral Battalions as ſoon as may be; and that the commanding Officers of each Battalion be directed forthwith to order out recruiting Parties to compleat their Battalions.

That the Commiſſioners be authoriſed to apply to Congreſs for Money, from Time to Time, to pay the Bounty as faſt as the Men may inliſt in the Service, to be accountable to the State.

That the Commiſſioners be authoriſed to enquire into the Conduct of the Commiſſaries and Quarter-Maſters, if they ſhall think it neceſſary.

That Perſons be immediately appointed to purchaſe Woolens for Cloathing, Blankets and other Neceſſaries, and particularly Arms.

On Motion, *Ordered*,

That this Houſe will To-morrow Morning proceed to the Election, by Ballot, of the three Commiſſioners recommended, by the above Report, to enquire, *&c.* into the Condition of the Troops raiſed in this State.

On Motion, *Reſolved*,

That the Commiſſioners for raiſing the Flying Camp account with the Council of Safety, or future Aſſembly, for ſuch Monies as have been or ſhall be put into their Hands for that Purpoſe.

The Houſe reſumed the Conſideration of the Draught of the Preamble offered to them Yeſterday, and the ſame was agreed to.

Adjourned to Nine o'Clock To-morrow Morning.

Friday,

Friday, September 27, 1776, A. M.

The Convention met, purſuant to Adjournment.

The Houſe, according to the Order of the Day, proceeded to the Election, by Ballot, of the Commiſſioners recommended to be choſen by the Report of Yeſterday, when Major *Lollar*, Major *Coates* and *John Morris*, jun. Eſq; were elected.

On Information, that a Number of Soldiers, belonging to Col. *Miles's* Battalion, had mutinied and returned to this City, it was

Reſolved,

That Col. *Kirkbride*, Mr. *Cannon*, Mr. *Whitehill* and Col. *James Smith* be a Committee to enquire into the Affair, and make Report to this Houſe.

Adjourned to Three o'Clock in the Afternoon.

Friday, September 27, 1776, P. M.

The Convention met, purſuant to Adjournment.

On Motion, *Reſolved*,

That Capt. *Farmer*, and the other Officers of the three Battalions belonging to this State, be directed to march the Soldiers, who have returned from the Camp, to the Barracks; that the Commiſſary be directed to ſupply them with Proviſions, and that they be kept there until the Convention, or Council of Safety, ſhall have conſidered their Caſe, and ſhall give further Directions.

On Motion, *Reſolved*,

That it be recommended to the firſt General Aſſembly of this State to make a Law, ſimilar to the *Habeas Corpus* Act of *England*, for the Security of the perſonal Liberty of the Inhabitants.

The Committee appointed to enquire into the Affair of the returned Soldiers, made their Report in Writing; which, being read, was referred for further Conſideration.

Adjourned to Nine o'Clock To-morrow Morning.

Saturday, September 28, 1776.

The Houſe met, purſuant to Adjournment.

The Frame or Plan of Government, and Preamble agreed to Yeſterday, being now fairly engroſſed, were deliberately read and compared at the Table; and, being bound up with the Declaration of Rights, were paſſed and confirmed unanimouſly in the Words following, *viz.*

The CONSTITUTION *of* PENNSYLVANIA.

WHEREAS all Government ought to be inſtituted and ſupported for the Security and Protection of the Community as ſuch, and to enable the Individuals, who compoſe it, to enjoy their natural Rights and the other Bleſſings which the Author of Exiſtence has beſtowed upon Man; and, whenever theſe great Ends of Government are not obtained, the People have a Right, by common Conſent, to change it, and take ſuch Meaſures as to them may appear neceſſary to promote their Safety and Happineſs. And whereas the Inhabitants of this Commonwealth have, in Conſideration of Protection only, heretofore acknowledged Allegiance to the King of *Great-Britain*; and the ſaid King has not only withdrawn that Protection, but commenced and ſtill continues to carry on, with unabated Vengeance, a moſt cruel and unjuſt War againſt them, employing therein not only the Troops of *Great-Britain*, but foreign Mercenaries, Savages and Slaves, for the avowed Purpoſe of reducing them to a total and abject Submiſſion to the deſpotic Domination of the *Britiſh* Parliament, with many other Acts of Tyranny (more fully ſet forth in the Declaration of Congreſs) whereby all Allegiance and Fealty to the ſaid King, and his Succeſſors, are diſſolved and at an End, and all Power and Authority derived from him ceaſed in theſe Colonies. And whereas it is abſolutely neceſſary for the Welfare and Safety of the Inhabitants of ſaid Colonies, that they be henceforth free and independent States, and that juſt, permanent and proper Forms of Government exiſt in every Part of them, derived from, and founded on the Authority of, the People only, agreeable to the Directions of the Honourable *American* Congreſs:

WE, the Repreſentatives of the Freemen of *Pennſylvania*, in General Convention met, for the expreſs Purpoſe of framing ſuch a Government, confeſſing the Goodneſs of the great Governor of the Univerſe, (who alone knows to what Degree of earthly Happineſs Mankind may attain, by perfecting the Arts of Government) in permitting the People of this State, by common Conſent, and without Violence, deliberately to form for themſelves ſuch juſt Rules as they ſhall think beſt for governing their future Society; and being fully convinced that it is our indiſpenſable Duty to eſtabliſh ſuch original Principles of Government as will beſt promote the general Happineſs of the People of this State and their Poſterity, and provide for future Improvements, without Partiality for or Prejudice againſt any particular Claſs, Sect or Denomination of Men whatſoever, DO, by Virtue of the Authority veſted in us by our Conſtituents, ordain and declare

declare and eſtabliſh the following Declaration of Rights and Frame of Government to be the Conſtitution of this Commonwealth, and to remain in Force therein for ever, unaltered, except in ſuch Articles as ſhall hereafter, on Experience, be found to require Improvement, and which ſhall, by the ſame Authority of the People fairly delegated, as this Frame of Government directs, be amended or improved for the more effectual obtaining and ſecuring the great End and Deſign of all Government herein before mentioned.

CHAPTER I.

A DECLARATION *of the* RIGHTS *of the* INHABITANTS *of the Commonwealth or State of* Pennſylvania.

I. THAT all Men are born equally free and independent, and have certain natural, inherent and unalienable Rights, amongſt which are the enjoying and defending Life and Liberty, acquiring, poſſeſſing and protecting Property, and purſuing and obtaining Happineſs and Safety.

II. That all Men have a natural and unalienable Right to worſhip Almighty God according to the Dictates of their own Conſciences and Underſtanding: And that no Man ought or of right can be compelled to attend any religious Worſhip, or erect or ſupport any Place of Worſhip, or maintain any Miniſtry, contrary to, or againſt, his own free Will and Conſent: Nor can any Man, who acknowledges the Being of a God, be juſtly deprived or abridged of any civil Right as a Citizen, on Account of his religious Sentiments or peculiar Mode of religious Worſhip: And that no Authority can or ought to be veſted in, or aſſumed by, any Power whatever, that ſhall in any Caſe interfere with, or in any Manner controul, the Right of Conſcience in the free Exerciſe of religious Worſhip.

III. That the People of this State have the ſole excluſive and inherent Right of governing and regulating the internal Police of the ſame.

IV. That all Power being originally inherent in, and conſequently derived from, the People; therefore all Officers of Government, whether legiſlative or executive, are their Truſtees and Servants, and at all Times accountable to them.

V. That Government is, or ought to be, inſtituted for the common Benefit, Protection and Security of the People, Nation or Community; and not for the particular Emolument or Advantage of any ſingle Man, Family or ſet of Men who are a Part only of that Community: And that the Community hath an indubitable, unalienable and indefeaſible Right to reform, alter or aboliſh Government in ſuch Manner as ſhall be by that Community judged moſt conducive to the public Weal.

VI. That thoſe who are employed in the legiſlative and executive Buſineſs of the State may be reſtrained from Oppreſſion, the People have a Right, at ſuch Periods as they may think proper, to reduce their public Officers to a private Station, and ſupply the Vacancies by certain and regular Elections.

VII. That all Elections ought to be free; and that all free Men having a ſufficient evident common Intereſt with, and Attachment to the Community, have a Right to elect Officers, or to be elected into Office.

VIII. That every Member of Society hath a Right to be protected in the Enjoyment of Life, Liberty and Property, and therefore is bound to contribute his Proportion towards the Expence of that Protection, and yield his perſonal Service, when neceſſary, or an Equivalent thereto: But no Part of a Man's Property can be juſtly taken from him, or applied to public Uſes, without his own Conſent, or that of his legal Repreſentatives: Nor can any Man who is conſcientiouſly ſcrupulous of bearing Arms, be juſtly compelled thereto, if he will pay ſuch Equivalent: Nor are the People bound by any Laws, but ſuch as they have in like Manner aſſented to, for their common Good.

IX. That in all Proſecutions for criminal Offences, a Man hath a Right to be heard by himſelf and his Council, to demand the Cauſe and Nature of his Accuſation, to be confronted with the Witneſſes, to call for Evidence in his Favour, and a ſpeedy public Trial, by an impartial Jury of the Country, without the unanimous Conſent of which Jury he cannot be found guilty: Nor can he be compelled to give Evidence againſt himſelf: Nor can any Man be juſtly deprived of his Liberty, except by the Laws of the Land or the Judgment of his Peers.

X. That the People have a Right to hold themſelves, their Houſes, Papers and Poſſeſſions free from Search and Seizure; and therefore Warrants without Oaths or Affirmations firſt made, affording a ſufficient Foundation for them, and whereby any Officer or Meſſenger may be commanded or required to ſearch ſuſpected Places, or to ſeize any Perſon or Perſons, his or their Property, not particularly deſcribed, are contrary to that Right, and ought not to be granted.

XI. That in Controverſies reſpecting Property, and in Suits between Man and Man, the Parties have a Right to Trial by Jury, which ought to be held ſacred.

XII. That the People have a Right to Freedom of Speech, and of Writing, and publiſhing their Sentiments; therefore the Freedom of the Preſs ought not to be reſtrained.

XIII. That the People have a Right to bear Arms for the Defence of themſelves and the State; and as ſtanding Armies, in the Time of Peace, are dangerous to Liberty, they ought not to be kept up: And that the Military ſhould be kept under ſtrict Subordination to, and governed by, the Civil Power.

XIV. That a frequent Recurrence to fundamental Principles, and a firm Adherence to Juſtice, Moderation, Temperance, Induſtry and Frugality, are abſolutely neceſſary to preſerve the Bleſſings of Liberty, and keep a Government free: The People ought therefore to pay particular Attention to theſe Points in the Choice of Officers and Repreſentatives; and have a Right to exact a due and conſtant Regard to them, from their Legiſlators and Magiſtrates, in the making and executing ſuch Laws as are neceſſary for the good Government of the State.

XV. That all Men have a natural inherent Right to emigrate from one State to another that will receive them, or to form a new State in vacant Countries, or in ſuch Countries as they can purchaſe, whenever they think that thereby they may promote their own Happineſs.

XVI. That the People have a Right to aſſemble together, to conſult for their common Good, to inſtruct their Repreſentatives, and to apply to the Legiſlature for Redreſs of Grievances, by Addreſs, Petition or Remonſtrance.

CHAPTER II.

PLAN *or* FRAME OF GOVERNMENT *for the* COMMONWEALTH *or* STATE *of* *PENNSYLVANIA.*

SECTION the Firſt.

THE Commonwealth or State of *Pennſylvania* ſhall be governed hereafter by an Aſſembly of the Repreſentatives of the Freemen of the ſame, and a Preſident and Council, in Manner and Form following.

SECTION the Second.

The ſupreme legiſlative Power ſhall be veſted in a Houſe of Repreſentatives of the Freemen of the Commonwealth or State of *Pennſylvania.*

SECTION the Third.

The ſupreme executive Power ſhall be veſted in a Preſident and Council.

SECTION the Fourth.

Courts of Juſtice ſhall be eſtabliſhed in the City of *Philadelphia*, and in every County of this State.

SECTION the Fifth.

The Freemen of this Commonwealth and their Sons ſhall be trained and armed for its Defence, under ſuch Regulations, Reſtrictions and Exceptions, as the General Aſſembly ſhall by Law direct; preſerving always to the People the Right of chooſing their Colonels, and all commiſſioned Officers under that Rank, in ſuch Manner and as often as by the ſaid Laws ſhall be directed.

SECTION the Sixth.

Every Freeman of the full Age of Twenty-one Years, having reſided in this State for the Space of one whole Year next before the Day of Election for Repreſentatives, and paid public Taxes during that Time, ſhall enjoy the Right of an Elector: Provided always, that Sons of Freeholders of the Age of Twenty-one Years ſhall be intitled to vote, although they have not paid Taxes.

SECTION the Seventh.

The Houſe of Repreſentatives of the Freemen of this Commonwealth ſhall conſiſt of Perſons moſt noted for Wiſdom and Virtue; to be choſen by the Freemen of every City and County of this Commonwealth reſpectively: And no Perſon ſhall be elected, unleſs he has reſided in the City or County, for which he ſhall be choſen, two Years immediately before the ſaid Election; nor ſhall any Member, while he continues ſuch, hold any other Office, except in the Militia.

SECTION the Eighth.

No Perſon ſhall be capable of being elected a Member to ſerve in the Houſe of Repreſentatives of the Freemen of this Commonwealth more than Four Years in Seven.

SECTION the Ninth.

The Members of the Houſe of Repreſentatives ſhall be choſen annually by Ballot, by the Freemen of the Commonwealth, on the Second *Tueſday* in *October* for ever, (except this preſent Year) and ſhall meet on the Fourth *Monday* of the ſame Month, and ſhall be ſtiled *The General Aſſembly of the Repreſentatives of the Freemen of Pennſylvania*, and ſhall have Power to chooſe their Speaker, the Treaſurer of the State, and their other Officers,—ſit on their own Adjournments,—prepare Bills and enact them into Laws,—judge of the Elections and Qualifications of their own Members;—they may expel a Member, but not a ſecond time for the ſame Cauſe;—they may adminiſter Oaths or Affirmations on Examination of Witneſſes,—redreſs Grievances,—impeach State-Criminals,—grant Charters of Incorporation,—conſtitute Towns, Boroughs, Cities and Counties,—and ſhall have all other Powers neceſſary for the Legiſlature of a free State or Commonwealth;—but they ſhall have no Power to add to, alter, aboliſh or infringe any Part of this Conſtitution.

SECTION the Tenth.

A Quorum of the Houſe of Repreſentatives ſhall conſiſt of Two-thirds of the whole Number of Members elected; and having met, and choſen their Speaker, ſhall each of them, before they proceed to Buſineſs, take and ſubſcribe, as well the Oath or Affirmation of Fidelity and Allegiance herein after directed, as the following Oath or Affirmation, *viz.*

"I —— do

"I —— do ſwear (or affirm) that, as a Member of this Aſſembly, I will not propoſe or aſſent to any Bill, Vote or Reſolution, which ſhall appear to me injurious to the People, nor do or conſent to any Act or Thing whatever, that ſhall have a Tendency to leſſen or abridge their Rights and Privileges as declared in the Conſtitution of this State; but will, in all Things, conduct myſelf as a faithful honeſt Repreſentative and Guardian of the People, according to the beſt of my Judgment and Abilities."

And each Member, before he takes his Seat, ſhall make and ſubſcribe the following Declaration, *viz.*

"I do believe in one God, the Creator and Governor of the Univerſe, the Rewarder of the Good and Puniſher of the Wicked: And I do acknowledge the Scriptures of the Old and New Teſtament to be given by divine Inſpiration."

And no further or other religious Teſt ſhall ever hereafter be required of any civil Officer or Magiſtrate in this State.

SECTION the Eleventh.

Delegates to repreſent this State in Congreſs ſhall be choſen by Ballot, by the future General Aſſembly, at their firſt Meeting, and annually for ever afterwards, as long as ſuch Repreſentation ſhall be neceſſary; any Delegate may be ſuperſeded at any Time, by the General Aſſembly, appointing another in his Stead; no Man ſhall ſit in Congreſs longer than two Years ſucceſſively, nor be capable of Re-election for three Years afterwards: And no Perſon, who holds any Office in the Gift of the Congreſs, ſhall hereafter be elected to repreſent this Commonwealth in Congreſs.

SECTION the Twelfth.

If any City or Cities, County or Counties, ſhall neglect or refuſe to elect and ſend Repreſentatives to the General Aſſembly, Two-thirds of the Members from the Cities or Counties that do elect and ſend Repreſentatives, provided they be a Majority of the Cities and Counties of the whole State when met, ſhall have all the Powers of the General Aſſembly as fully and amply as if the Whole were preſent.

SECTION the Thirteenth.

The Doors of the Houſe, in which the Repreſentatives of the Freemen of this State ſhall ſit in General Aſſembly, ſhall be and remain open for the Admiſſion of all Perſons who behave decently, except only when the Welfare of this State may require the Doors to be ſhut.

SECTION the Fourteenth.

The Votes and Proceedings of the General Aſſembly ſhall be printed Weekly, during their Sitting, with the Yeas and Nays on any Queſtion, Vote or Reſolution, where any two Members require it, except when the Vote is taken by Ballot; and when the Yeas and Nays are ſo taken, every Member ſhall have a Right to inſert the Reaſons of his Vote, upon the Minutes, if he deſires it.

SECTION the Fifteenth.

To the End that Laws, before they are enacted, may be more maturely conſidered, and the Inconvenience of haſty Determinations as much as poſſible prevented, all Bills of a public Nature ſhall be printed for the Conſideration of the People, before they are read in General Aſſembly the laſt time for Debate and Amendment; and, except on Occaſions of ſudden Neceſſity, ſhall not be paſſed into Laws until the next Seſſion of Aſſembly; and for the more perfect Satisfaction of the Public, the Reaſons and Motives for making ſuch Laws ſhall be fully and clearly expreſſed in the Preambles.

SECTION the Sixteenth.

The Stile of the Laws of this Commonwealth ſhall be "*Be it enacted, and it is hereby enacted "by the Repreſentatives of the Freemen of the Commonwealth of Pennſylvania, in General Aſſembly met, "and by the Authority of the ſame.*" And the General Aſſembly ſhall affix their Seal to every Bill, as ſoon as it is enacted into a Law, which Seal ſhall be kept by the Aſſembly, and ſhall be called *The Seal of the Laws of Pennſylvania*, and ſhall not be uſed for any other Purpoſe.

SECTION the Seventeenth.

The City of *Philadelphia*, and each County in this Commonwealth reſpectively, ſhall, on the First *Tueſday* of *November* in this preſent Year, and on the Second *Tueſday* in *October* annually for the two next ſucceeding Years, *to wit*, the Year One Thouſand Seven Hundred and Seventy-ſeven, and the Year One Thouſand Seven Hundred and Seventy-eight, chooſe ſix Perſons to repreſent them in General Aſſembly: But as Repreſentation, in Proportion to the Number of taxable Inhabitants, is the only Principle which can, at all Times, ſecure Liberty, and make the Voice of a Majority of the People the Law of the Land, therefore the General Aſſembly ſhall cauſe compleat Liſts of the taxable Inhabitants, in the City and each County in the Commonwealth reſpectively, to be taken and returned to them on or before the laſt Meeting of the Aſſembly elected in the Year One Thouſand Seven Hundred and Seventy-eight: Who ſhall appoint a Repreſentation to each in Proportion to the Number of Taxables in ſuch Returns; which Repreſentation ſhall continue for the next Seven Years afterwards; at the End of which a new Return of the taxable Inhabitants ſhall be made, and a Repreſentation agreeable thereto appointed by the ſaid Aſſembly, and ſo on ſeptennially for ever. The Wages of the Repreſentatives in General Aſſembly, and all other State-Charges, ſhall be paid out of the State Treaſury.

SECTION

SECTION the Eighteenth.

In Order that the Freemen of this Commonwealth may enjoy the Benefit of Election as equally as may be until the Repreſentation ſhall commence as directed in the foregoing Section, each County at its own Choice may be divided into Diſtricts, hold Elections therein, and elect their Repreſentatives in the County and their other Elective Officers, as ſhall be hereafter regulated by the General Aſſembly of this State. And no Inhabitant of this State ſhall have more than one annual Vote at the General Election for Repreſentatives in Aſſembly.

SECTION the Nineteenth.

For the preſent the ſupreme executive Council of this State ſhall conſiſt of Twelve Perſons, choſen in the following Manner: The Freemen of the City of *Philadelphia* and of the Counties of *Philadelphia*, *Cheſter* and *Bucks* reſpectively ſhall chooſe by Ballot one Perſon for the City and one for each County aforeſaid, to ſerve for three Years and no longer, at the Time and Place for electing Repreſentatives in General Aſſembly. The Freemen of the Counties of *Lancaſter*, *York*, *Cumberland* and *Berks* ſhall in like Manner elect one Perſon for each County reſpectively, to ſerve as Counſellors for two Years and no longer. And the Counties of *Northampton*, *Bedford*, *Northumberland* and *Weſtmoreland* reſpectively ſhall in like Manner elect one Perſon for each County, to ſerve as Counſellors for one Year and no longer. And at the Expiration of the Time for which each Counſellor was choſen to ſerve, the Freemen of the City of *Philadelphia* and of the ſeveral Counties in this State reſpectively ſhall elect one Perſon to ſerve as Counſellor for three Years and no longer; and ſo on every third Year forever. By this Mode of Election and continual Rotation, more Men will be trained to public Buſineſs, there will in every ſubſequent Year be found in the Council a Number of Perſons acquainted with the Proceedings of the foregoing Years, whereby the Buſineſs will be more conſiſtently conducted, and moreover the Danger of eſtabliſhing an inconvenient Ariſtocracy will be effectually prevented. All Vacancies in the Council that may happen by Death, Reſignation, or otherwiſe, ſhall be filled at the next General Election for Repreſentatives in General Aſſembly, unleſs a particular Election for that Purpoſe ſhall be ſooner appointed by the Preſident and Council. No Member of the General Aſſembly or Delegate in Congreſs, ſhall be choſen a Member of the Council. The Preſident and Vice-Preſident ſhall be choſen annually by the joint Ballot of the General Aſſembly and Council, of the Members of the Council. Any Perſon having ſerved as a Counſellor for three ſucceſſive Years, ſhall be incapable of holding that Office for four Years afterwards. Every Member of the Council ſhall be a Juſtice of the Peace for the whole Commonwealth by Virtue of his Office.

In Caſe new additional Counties ſhall hereafter be erected in this State, ſuch County or Counties ſhall elect a Counſellor, and ſuch County or Counties ſhall be annexed to the next neighbouring Counties, and ſhall take Rotation with ſuch Counties.

The Council ſhall meet annually, at the ſame Time and Place with the General Aſſembly.

The Treaſurer of the State, Truſtees of the Loan-Office, Naval Officers, Collectors of Cuſtoms or Exciſe, Judge of the Admiralty, Attornies-General, Sheriffs, and Prothonotaries, ſhall not be capable of a Seat in the General Aſſembly, Executive Council, or Continental Congreſs.

SECTION the Twentieth.

The Preſident, and in his Abſence the Vice-Preſident, with the Council, five of whom ſhall be a Quorum, ſhall have Power to appoint and commiſſionate Judges, Naval Officers, Judge of the Admiralty, Attorney-General and all other Officers, Civil and Military, except ſuch as are choſen by the General Aſſembly, or the People, agreeable to this Frame of Government and the Laws that may be made hereafter; and ſhall ſupply every Vacancy in any Office occaſioned by Death, Reſignation, Removal or Diſqualification, until the Office can be filled in the Time and Manner directed by Law or this Conſtitution. They are to correſpond with other States, and tranſact Buſineſs with the Officers of Government Civil and Military, and to prepare ſuch Buſineſs as may appear to them neceſſary to lay before the General Aſſembly. They ſhall ſit as Judges to hear and determine on Impeachments, taking to their Aſſiſtance, for Advice only, the Juſtices of the Supreme Court; and ſhall have Power to grant Pardons and remit Fines in all Caſes whatſoever, except in Caſes of Impeachment; and in Caſes of Treaſon and Murder, ſhall have Power to grant Reprieves, but not to pardon, until the End of the next Seſſions of Aſſembly. But there ſhall be no Remiſſion or Mitigation of Puniſhment on Impeachments, except by Act of the Legiſlature. They are alſo to take Care that the Laws be faithfully executed: they are to expedite the Execution of ſuch Meaſures as may be reſolved upon by the General Aſſembly; and they may draw upon the Treaſury for ſuch Sums as ſhall be appropriated by the Houſe. They may alſo lay Embargoes, or prohibit the Exportation of any Commodity, for any Time not exceeding thirty Days, in the Receſs of the Houſe only: They may grant ſuch Licences as ſhall be directed by Law; and ſhall have Power to call together the General Aſſembly when neceſſary, before the Day to which they ſhall ſtand adjourned. The Preſident ſhall be Commander in Chief of the Forces of the State, but ſhall not command in Perſon, except adviſed thereto by the Council, and then only ſo long as they ſhall approve thereof. The Preſident and Council ſhall have a Secretary, and keep fair Books of their Proceedings, wherein any Counſellor may enter his Diſſent, with his Reaſons in Support of it.

SECTION the Twenty-firſt.

All Commiſſions ſhall be in the Name and by the Authority of the Freemen of the Commonwealth

wealth of *Pennſylvania*, ſealed with the State-ſeal, ſigned by the Preſident or Vice-Preſident, and atteſted by the Secretary; which Seal ſhall be kept by the Council.

SECTION the Twenty-ſecond.

Every Officer of State, whether judicial or executive, ſhall be liable to be impeached by the General Aſſembly, either when in Office, or after his Reſignation, or Removal for Mal-adminiſtration: All Impeachments ſhall be before the Preſident or Vice-Preſident and Council, who ſhall hear and determine the ſame.

SECTION the Twenty-third.

The Judges of the Supreme Court of Judicature ſhall have fixed Salaries, be commiſſioned for ſeven Years only, though capable of Re-appointment at the End of that Term, but removeable for Miſbehaviour at any Time by the General Aſſembly;—they ſhall not be allowed to ſit as Members in the Continental Congreſs, Executive Council, or General Aſſembly, nor to hold any other Office Civil or Military, nor to take or receive Fees or Perquiſites of any Kind.

SECTION the Twenty-fourth.

The Supreme Court and the ſeveral Courts of Common Pleas of this Commonwealth ſhall, beſides the Powers uſually exerciſed by ſuch Courts, have the Powers of a Court of Chancery, ſo far as relates to the perpetuating Teſtimony, obtaining Evidence from Places not within this State, and the Care of the Perſons and Eſtates of thoſe who are *non compotes mentis*, and ſuch other Powers as may be found neceſſary by future General Aſſemblies, not inconſiſtent with this Conſtitution.

SECTION the Twenty-fifth.

Trials ſhall be by Jury as heretofore: And it is recommended to the Legiſlature of this State to provide by Law againſt every Corruption or Partiality in the Choice, Return, or Appointment of Juries.

SECTION the Twenty-ſixth.

Courts of Seſſions, Common Pleas, and Orphans Courts ſhall be held quarterly in each City and County; and the Legiſlature ſhall have Power to eſtabliſh all ſuch other Courts as they may judge for the good of the Inhabitants of the State. All Courts ſhall be open, and Juſtice ſhall be impartially adminiſtered without Corruption or unneceſſary Delay: All their Officers ſhall be paid an adequate but moderate Compenſation for their Services: And if any Officer ſhall take greater or other Fees than the Laws allow him, either directly or indirectly, it ſhall ever after diſqualify him from holding any Office in this State.

SECTION the Twenty-ſeventh.

All Proſecutions ſhall commence in the Name and by the Authority of the Freemen of the Commonwealth of *Pennſylvania*; and all Indictments ſhall conclude with theſe Words, "Againſt "the Peace and Dignity of the ſame." The Style of all Proceſs hereafter in this State ſhall be, The Commonwealth of *Pennſylvania*.

SECTION the Twenty-eighth.

The Perſon of a Debtor, where there is not a ſtrong Preſumption of Fraud, ſhall not be continued in Priſon, after delivering up, *bona fide*, all his Eſtate real and perſonal, for the Uſe of his Creditors, in ſuch Manner as ſhall be hereafter regulated by Law. All Priſoners ſhall be bailable by ſufficient Sureties, unleſs for capital Offences, when the Proof is evident or Preſumption great.

SECTION the Twenty-ninth.

Exceſſive Bail ſhall not be exacted for bailable Offences: And all Fines ſhall be moderate.

SECTION the Thirtieth.

Juſtices of the Peace ſhall be elected by the Freeholders of each City and County reſpectively, that is to ſay, two or more Perſons may be choſen for each Ward, Townſhip or Diſtrict, as the Law ſhall hereafter direct: And their Names ſhall be returned to the Preſident in Council, who ſhall commiſſionate one or more of them for each Ward, Townſhip or Diſtrict ſo returning, for ſeven Years, removable for Miſconduct by the General Aſſembly:—But if any City or County, Ward, Townſhip or Diſtrict in this Commonwealth, ſhall hereafter incline to change the Manner of appointing their Juſtices of the Peace as ſettled in this Article, the General Aſſembly may make Laws to regulate the ſame, agreeable to the Deſire of a Majority of the Freeholders of the City or County, Ward, Townſhip or Diſtrict ſo applying. No Juſtice of the Peace ſhall ſit in the General Aſſembly unleſs he firſt reſign his Commiſſion, nor ſhall he be allowed to take any Fees; nor any Salary or Allowance except ſuch as the future Legiſlature may grant.

SECTION the Thirty-firſt.

Sheriffs and Coroners ſhall be elected annually in each City and County, by the Freemen; that is to ſay, two Perſons for each Office, one of whom for each, is to be commiſſioned by the Preſident in Council. No Perſon ſhall continue in the Office of Sheriff more than three ſucceſſive Years, or be capable of being again elected during four Years afterwards. The Election ſhall be held at the ſame Time and Place appointed for the Election of Repreſentatives: And the Commiſſioners and Aſſeſſors, and other Officers choſen by the People, ſhall alſo be then and there elected, as has been uſual heretofore, until altered or otherwiſe regulated by the future Legiſlature of this State.

SECTION the Thirty-ſecond.

All Elections, whether by the People or in General Aſſembly, ſhall be by Ballot, free and voluntary: And any Elector, who ſhall receive any Gift or Reward for his Vote, in Meat, Drink, Monies or otherwiſe, ſhall forfeit his Right to elect for that Time, and ſuffer ſuch other Penalty as future Laws ſhall direct. And any Perſon who ſhall directly or indirectly give, promiſe or beſtow any ſuch Rewards to be elected, ſhall be thereby rendered incapable to ſerve for the enſuing Year.

SECTION the Thirty-third.

All Fees, Licence Money, Fines and Forfeitures heretofore granted, or paid to the Governor, or his Deputies for the Support of Government, ſhall hereafter be paid into the public Treaſury, unleſs altered or aboliſhed by the future Legiſlature.

SECTION the Thirty-fourth.

A Regiſter's Office for the Probate of Wills and granting Letters of Adminiſtration, and an Office for the recording of Deeds, ſhall be kept in each City and County: The Officers to be appointed by the General Aſſembly, removeable at their Pleaſure, and to be commiſſioned by the Preſident in Council.

SECTION the Thirty-fifth.

The Printing Preſſes ſhall be free to every Perſon who undertakes to examine the Proceedings of the Legiſlature, or any Part of Government.

SECTION the Thirty-ſixth.

As every Freemen, to preſerve his Independence, (if without a ſufficient Eſtate) ought to have ſome Profeſſion, Calling, Trade or Farm, whereby he may honeſtly ſubſiſt, there can be no Neceſſity for, nor Uſe in eſtabliſhing Offices of Profit, the uſual Effects of which are Dependence and Servility, unbecoming Freemen, in the Poſſeſſors and Expectants; Faction, Contention, Corruption and Diſorder among the People. But if any Man is called into public Service, to the Prejudice of his private Affairs, he has a Right to a reaſonable Compenſation: And whenever an Office, through Increaſe of Fees, or otherwiſe, becomes ſo profitable as to occaſion many to apply for it, the Profits ought to be leſſened by the Legiſlature.

SECTION the Thirty-ſeventh.

The future Legiſlature of this State, ſhall regulate Entails in ſuch a Manner as to prevent Perpetuities.

SECTION the Thirty-eighth.

The Penal Laws as heretofore uſed, ſhall be reformed by the future Legiſlature of this State, as ſoon as may be, and Puniſhments made in ſome Caſes leſs ſanguinary, and in general more proportionate to the Crimes.

SECTION the Thirty-ninth.

To deter more effectually from the Commiſſion of Crimes, by continued viſible Puniſhment of long Duration, and to make ſanguinary Puniſhments leſs neceſſary; Houſes ought to be provided for puniſhing by hard Labour, thoſe who ſhall be convicted of Crimes not Capital; wherein the Criminals ſhall be employed for the Benefit of the Public, or for Reparation of Injuries done to private Perſons: And all Perſons at proper Times ſhall be admitted to ſee the Priſoners at their Labour.

SECTION the Fortieth.

Every Officer, whether judicial, executive or military, in Authority under this Commonwealth, ſhall take the following Oath or Affirmation of Allegiance, and general Oath of Office before he enter on the Execution of his Office: The Oath or Affirmation of Allegiance. "*I—do ſwear (or affirm) That I will be true and faithful to the Commonwealth of* Pennſylvania: *And that I will not directly or indirectly do any Act or Thing prejudicial or injurious to the Conſtitution or Government thereof as eſtabliſhed by the Convention.*" The Oath or Affirmation of Office. "*I—do ſwear (or affirm) That I will faithfully execute the Office of——for the——of——and I will do equal Right and Juſtice to all Men to the beſt of my Judgment and Abilities, according to Law.*"——

SECTION the Forty-firſt.

No public Tax, Cuſtom or Contribution ſhall be impoſed upon, or paid by the People of this State, except by a Law for that Purpoſe: And before any Law be made for raiſing it, the Purpoſe for which any Tax is to be raiſed ought to appear clearly to the Legiſlature to be of more Service to the Community than the Money would be, if not collected, which being well obſerved, Taxes can never be Burthens.

SECTION the Forty-ſecond.

Every Foreigner of good Character, who comes to ſettle in this State, having firſt taken an Oath or Affirmation of Allegiance to the ſame, may purchaſe, or by other juſt Means acquire, hold and transfer Land or other real Eſtate; and after one Year's Reſidence, ſhall be deemed a free Denizen thereof, and intitled to all the Rights of a natural born Subject of this State, except that he ſhall not be capable of being elected a Repreſentative until after two Years Reſidence.

SECTION the Forty-third.

The Inhabitants of this State ſhall have Liberty to fowl and hunt in ſeaſonable Times on the Lands they hold, and on all other Lands therein not incloſed; and in like Manner to fiſh in all boatable Waters and others not private Property.

SECTION the Forty-fourth.

A School or Schools ſhall be eſtabliſhed in each County by the Legiſlature, for the convenient

nient Inſtruction of Youth, with ſuch Salaries to the Maſters paid by the Public as may enable them to inſtruct Youth at low Prices: And all uſeful Learning ſhall be duly encouraged and promoted in one or more Univerſities.

SECTION the Forty-fifth.

Laws for the Encouragement of Virtue, and Prevention of Vice and Immorality, ſhall be made and conſtantly kept in Force, and Proviſion ſhall be made for their due Execution: And all religious Societies or Bodies of Men heretofore united or incorporated for the Advancement of Religion and Learning, or for other pious and charitable Purpoſes, ſhall be encouraged and protected in the Enjoyment of the Privileges, Immunities and Eſtates which they were accuſtomed to enjoy, or could of Right have enjoyed under the Laws and former Conſtitution of this State.

SECTION the Forty-ſixth.

The Declaration of Rights is hereby declared to be a Part of the Conſtitution of this Commonwealth, and ought never to be violated on any Pretence whatever.

SECTION the Forty-ſeventh.

In order that the Freedom of this Commonwealth may be preſerved inviolate for ever, there ſhall be choſen by Ballot by the Freemen in each City and County reſpectively, on the ſecond *Tueſday* in *October*, in the Year One Thouſand Seven Hundred and Eighty-three, and on the ſecond *Tueſday* in *October* in every Seventh Year thereafter, two Perſons in each City and County of this State, to be called the *Council of Cenſors*; who ſhall meet together on the ſecond *Monday* of *November*, next enſuing their Election; the Majority of whom ſhall be a Quorum in every Caſe, except as to calling a Convention, in which two Thirds of the whole Number elected ſhall agree; and whoſe Duty it ſhall be to enquire whether the Conſtitution has been preſerved inviolate in every Part; And whether the legiſlative and executive Branches of Government have performed their Duty as Guardians of the People, or aſſumed to themſelves, or exerciſed other or greater Powers than they are intitled to by the Conſtitution: They are alſo to enquire whether the public Taxes have been juſtly laid and collected in all Parts of this Commonwealth, in what Manner the public Monies have been diſpoſed of, and whether the Laws have been duly executed: For theſe Purpoſes they ſhall have Power to ſend for Perſons, Papers and Records; they ſhall have Authority to paſs public Cenſures, to order Impeachments, and to recommend to the Legiſlature the repealing ſuch Laws as appear to them to have been enacted contrary to the Principles of the Conſtitution: Theſe Powers they ſhall continue to have, for and during the Space of one Year from the Day of their Election, and no longer: The ſaid Council of Cenſors ſhall alſo have Power to call a Convention, to meet within two Years after their Sitting, if there appear to them an abſolute Neceſſity of amending any Article of the Conſtitution which may be defective, explaining ſuch as may be thought not clearly expreſſed, and of adding ſuch as are neceſſary for the Preſervation of the Rights and Happineſs of the People: But the Articles to be amended, and the Amendments propoſed, and ſuch Articles as are propoſed to be added or aboliſhed, ſhall be promulgated at leaſt ſix Months before the Day appointed for the Election of ſuch Convention, for the previous Conſideration of the People, that they may have an Opportunity of inſtructing their Delegates on the Subject.

On Motion, *Ordered*,

That the Preſident and every Member of this Convention preſent do ſign the ſame; which being accordingly done, it was thereupon

Ordered,

That the Conſtitution of this Commonwealth, as now agreed to and ſigned by the Members of this Convention, be committed to the Charge of the Council of Safety, with Directions to deliver the ſame to the General Aſſembly of this State, at their firſt Meeting, immediately after they ſhall have choſen their Speaker.

On Motion, *Reſolved*,

That Mr. *Rittenhouſe*, Mr. *Cannon* and Mr. *Matlack* be a Committee to ſettle the incidental Expences of this Convention.

On Motion, *Reſolved*,

That the Preſident of this Convention be allowed the ſame Wages as the Speaker of the late Houſe of Aſſembly, and that the Vice-Preſident draw an Order on the State-Treaſurer for the Amount thereof.

On Motion, *Reſolved*,

That Mr. *Rittenhouſe*, Mr. *Jacobs* and Mr. *Clymer* be a Committee to prepare the Seals for the future Legiſlature and executive Council of this State.

Reſolved,

That immediate public Notice be given by the Secretary, that the Freemen of this State are impowered, by the Frame of Government this Day paſſed, to chooſe, at their next Election for Repreſentatives, in the City of *Philadelphia* and each County, one Perſon as a Counſellor of State.

Reſolved,

That the Council of Safety be directed to prepare Materials neceſſary for printing Paper-Currency for this State, to be ready at the Time of the firſt Meeting of the General Aſſembly.

Reſolved,

Reſolved,

That Mr. *Cannon*, Mr. *Rittenhouſe*, Col. *Matlack* and Col. *Bull* be a Committee to reviſe the Minutes of this Convention, and print 250 Copies of the ſame, together with the Conſtitution, Ordinances, *&c.* (100 of which to be bound) for the Uſe of the Members of this Houſe.

On Motion, *Reſolved*,

That the Preſident of this Convention fill up and ſign a Commiſſion for General *Roberdeau*, as firſt Brigadier-General of this State; and that he alſo fill up and ſign a Commiſſion for General *Ewing*, as ſecond Brigadier-General of this State.

On Motion, *Reſolved*,

That Mr. *Cannon*, Mr. *Rittenhouſe* and Col. *Matlack* be a Committee to draw up an Addreſs to the Public, ſetting forth the Reaſons which induced this Convention to make the ſeveral Ordinances and Reſolves, which they have paſſed in the Courſe of the Sitting of this Convention.

The Report of the Committee appointed to enquire into the Complaints of the mutinous Soldiers was again read, and ordered to be referred to the Council of Safety.

Major *Coates* and Major *Loller*, two of the Gentlemen elected Yeſterday to viſit the Troops raiſed in this State at *New-York* Iſland and *Ticonderoga*, informed the Convention, that the State of their domeſtic Affairs was ſuch, that they could not poſſibly ſerve on that Duty. Whereupon the Houſe proceeded to the Election of two other Gentlemen in their Stead, when Col. *Potter* and Col. *Clark* were choſen by Ballot for that Service.

The Petition of *Peter Withington* for a Captaincy was again read, and referred to the Council of Safety.

The Draught of a Commiſſion and Inſtructions to the Gentlemen choſen to viſit the Troops of this State, was read and approved of, and is as follows:

Pennſylvania, ſs.

The Honourable the CONVENTION *of the* COMMONWEALTH *of* Pennſylvania, *to* E. T. *Eſquire.*

SIR,

YOU are hereby commiſſioned and inſtructed (in Conjunction with *A. B.* and *C. D.*) immediately to repair to the Army near *New-York* and at *Ticonderoga*, and make a particular Enquiry into the Condition and State of the Troops raiſed in or by this State, Whether they are properly ſupplied with Neceſſaries, and whether the Quarter-Maſters, Commiſſaries, Pay-Maſters and other Officers for the ſupplying of Cloathing, Proviſions, *&c.* have done their Duty, and therein particularly to attend to the Information which you ſhall receive from intelligent Privates as well as Officers. You are to engage all Officers and Privates, who are willing to ſerve during the War, on the Terms offered by the Honourable Congreſs. You are to enquire into the Merits of ſuch Officers, that proper Promotions may take Place when neceſſary. You are to enquire into the Condition and State of the Arms and Accoutrements of the Troops; and to make true Returns of all ſuch and other Matters, as you may find neceſſary, with all convenient Diſpatch, to the Council of Safety or future Houſe of Aſſembly. This Commiſſion and Inſtruction to continue until altered or annulled by this Convention, the Council of Safety, or the future Houſe of Aſſembly.

By Order of the Convention,

The Report made on the 13th Inſtant, by the Committee on military Affairs, was again read, and ordered to be referred to the Council of Safety, except as to that Part which relates to the Brigadiers-General.

Colonel *Potter* informed the Houſe, that he had been deſired, by the Delegates in Congreſs for this State, to acquaint the Houſe, that they were deſired to appoint and nominate the Officers for the Battalion to be raiſed in the Counties of *Northampton* and *Northumberland*. Whereupon the Houſe proceeded to the Election by Ballot of Field-Officers, for the ſaid Battalion, when *William Cook*, Eſq; was choſen to be recommended as Colonel,—*Neigle Gray*, Eſq; as Lieutenant-Colonel,—and *James Crawford*, Eſq; as Major.

The Appointment of the other Officers is referred to the Council of Safety.

On Motion, *Reſolved*,

That thoſe Aſſociators who have neglected or refuſed to march into *Jerſey* and ſerve agreeable to the Reſolution of the Honourable Congreſs and this Convention, or who have returned without having ſerved ſix Weeks, or having a regular Diſcharge, be conſidered as Non-Aſſociators, and fined and aſſeſſed as ſuch by the Commiſſioners and Aſſeſſors appointed by an Ordinance of this Convention reſpecting Non-Aſſociators.

The Memorial from *Northumberland* was read again, and ordered to be referred to the Council of Safety.

The Houſe reſumed the Conſideration of Colonel *Slagle's* Letter, deſiring to be excuſed from his Office of Commiſſioner for the Flying Camp; and it was

Reſolved,

That his Requeſt be granted, and that Major *Coates* be appointed in his Stead.

On

On Motion, *Ordered*,

That the Preſident ſign Orders on the State-Treaſurer for the Wages and Mileage of each Member of this Convention.

On Motion, *Ordered*,

That the Secretary of this Convention have the ſame Wages as have been uſually paid to the Clerk of the Aſſembly: But, as the Secretary has not kept any Account of Particulars, the Preſident is to aſcertain the ſame, according to the Rate and in Proportion to the Account ſettled for *Charles Moore*, Eſq; in *September* laſt, and to draw an Order on the State-Treaſurer for that Sum.

Reſolved unanimouſly,

That the Thanks of this Convention be given to the Preſident for the Honour he has done it by filling the Chair during the Debates on the moſt important Parts of the Bill of Rights and Frame of Government, and for his able and diſintereſted Advice thereon.

Then the Convention roſe.

PHILADELPHIA: Printed and Sold by HENRY MILLER, in *Race-Street.*